EXTRA

THE ATLANTA GEORGIAN

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NIGHT EDITION

JUDGE ROAN BARS ATTACK ON FRANK'S CHARACTER

Cook Repudiates Affidavit; Charges Intimidation

EXTRADITION OF ZACHRY IS DENIED

Executive's Action Comes as the Supreme Court Reverses Ruling Favoring Father.

The Supreme Court Tuesday reversed the decision of Judge Hammond, of Augusta, awarding the two Zachry children to the father, thereby further complicating the sensational case in which requisition papers by Governor Cole Blease for Zachry were refused by Governor Slaton Tuesday morning.

According to the ruling of the Supreme Court, the decision awarding the children to the father is reversed and remanded to Judge Hammond's court for further hearing. The ruling further specifies that Judge Hammond may exercise his discretion in awarding the custody of the children, which is contrary to the opinion rendered by Judge Hammond, who held previously that he was forced to award the children to Zachry because of a previous judgment.

The effect of the ruling will be to put the whole matter back in the Augusta courts, with the possibility that Mrs. Zachry will be awarded the custody of the two children.

Governor Slaton based his refusal on the fact that no State law had been violated by Zachry in South Carolina and that the whole case was against the defendant grew out of the desire of Mrs. Zachry to obtain the custody of the two children.

One of the most spectacular fights for the extradition of a citizen ever recorded in Georgia occurred in the Governor's offices Monday. Charges and counter charges were hurled in turn by counsel for the defense and for the State of South Carolina, and at one time a personal mix-up between Attorney Dunbar, representing Mrs. Zachry, and Attorney Phinizy, representing Mr. Zachry, who charged that the case had been prosecuted with all the "vindictiveness" that Mr. Dunbar could summon, was narrowly averted by the Governor.

Slaton Draws Line.

"You may wax just as enthusiastic as you like," said Governor Slaton to Mr. Phinizy, "but you can't say those things. That will not do here."

The hearing was as unique as it was spectacular. With the Governor sitting as both court and jury, attorneys for the defense and plaintiffs were allowed to argue their cases to their hearts' content with frequent interruptions by the Governor, who kept close tab on every bit of evidence offered.

In addition to the three attorneys for Zachry, Cohen and Phinizy, of Augusta, and West, of Thompson, E. D. Clary, Mayor of Harlem, the defendant's home town, testified in behalf of Zachry. Attorneys Rembert, of Columbia, S. C., and Dunbar, of Augusta, represented the State of South Carolina.

Mayor Clary, of Harlem, created a sensation when he testified that he had on one occasion pulled Mrs. Zachry and her mother off Zachry following an attack. Mrs. Zachry, he declared further, had said in his presence that if she did not get her children she would have to kill her husband.

Kidnaping Charge Irrelevant.

The climax of the hearing was reached, however, when the attorneys for Governor Blease virtually admitted to Governor Slaton that the charge of kidnaping, as incorporated in the requisition papers, was not relevant and that practically all that Mrs. Zachry wanted was the custody of the two children.

In substantiation of the latter statement Governor Slaton referred to a letter which he himself had received from Mrs. Zachry, in which, he declared, it seemed that all that Mrs. Zachry wanted was the children.

This testimony of the Governor and the startling admission of Attorney Rembert, representing Governor Blease, broke down the whole argument of the plaintiff and really marked the turning point in the hearing.

RACING RESULTS

AT SARATOGA.

FIRST—5½ furlongs: Pennant 102 (Wolfe), 4-1, 8-5, 4-5, won; Stromboli 107 (McTaggart), 7-10, 1-3, out, second; Surprising 110 (Davies), 4-1, even, 2-5, third. Time 105 4-5. Also ran: Pan American, Rost, Decoy, Florin, Trakemark, May Dora.

SECOND—Mile and one-tighth: Warhorn 108 (McTaggart), 4-5, 1-3, out, won; Fred Mulholland 105 (Butwell), even, out, second; Inspector Lestrade 105 (Rowley), 40-1, 8-1, 2-1, third. Time 1:52 4-5. Also ran: Creme de Menthe, Breaker Roy.

THIRD—Seven furlongs: Ella Bryson 106 (McTaggart), 3-1, even, 2-5, won; Genesta 102 (Wolf), 9-5, 7-10, 1-4, second; Palanquin 112 (Karrick), 5-2, 4-5, 2-5, third. Time, 1:25 4-5. Also ran: Judge Walser, Grover Hughes, Brookfield.

FOURTH—Mile: Reybourn 92 (McTaggart), 8, 7-5, out, won; Ten Point 122 (Loftus), 2-5, out, second; Night Stick 105 (Ambrose), 5, 4-5, out, third. Tim,e 1:37. Also ran: Cliff Edge.

AT FORT ERIE.

FIRST—5 furlongs: Patience 104 (Montour), 11-5, even, 1-2, won; Manners 112 (Obert), 5-1, 2-1, even, second; Zodiac 100 (Callahan), 10-1, 4-1, 2-1, third. Time 1:03 2-5. Also ran: Lady Isle, Woodrow, Behest, Highpriest, Buzz Around, Indolence, Grandness.

SECOND — Mile: Crystiawoga 100 (Obert), 9-1, 3-1, even, won; Capersauce 108 (Small), 18-5, 7-5, out, second; Rockspring 108 (Buxton), 13-5, 4-5, out, third. Time 1:43. Also ran: Havrock, Ondratnon.

THIRD—Distance not given: Ennis Killen 165 (Bowser), 4-5, 1-4, out, won; Guncotton 154 (Dupee), 3, 7-10, out, second; Luckola 147 (Cassidy), 9-2, 7-5, out, third. Time, 3:57 3-5. Also ran: Melos.

ENTRIES ON PAGE 11.

LATEST NEWS

LONDON, Aug. 12.—The shadow of another war in the Balkans hangs over Europe. Sir Edward Grey, British Foreign Minister, announced in the House of Commons to-day that if Turkey refuses to give up Adrianople at the insistence of Bulgaria, the powers will not be able to divert the consequences, "no matter what their character."

WASHINGTON, April 12.—The direct overture of the United States to the Huerta administration—the tender of American aid in the effort to restore peace in Mexico—is expected to be transmitted by Envoy Lind to the Mexican national palace within a few hours.

MILWAUKEE, WIS., Aug. 12. There will be no formal organization of a National Council of Catholic Women at the convention of the American Federation of Catholics this year. This was practically determined this forenoon at the preliminary meeting of the women called to plan the perfecting of such a council.

LOUISVILLE, KY., Aug. 12.—The Ohio River is at the lowest stage in years as a result of the drouth, and coal shipments have suspended. Three million bushels of coal due for shipment south are tied up at Pittsburg.

SAN FRANCISCO, Aug. 12.—Eleanor Fay, who says Louis R. Glavis, of Ballinger case fame, is her fiance, tried to end her life by swallowing carbolic acid while on a ferry boat plying the bay. She asserted she was to wed Glavis soon.

I. T. U. Officers May Serve Indefinitely

NASHVILLE, TENN., Aug. 12.—President Lynch, of the International Typographical Union, won another victory at the annual convention of the order to-day when the delegates sustained by an overwhelming vote the recommendation of the committee on laws that reported unfavorably on the proposition to make officers of the International Union ineligible to serve for more than two years. This proposition by Delegate Beadle, of Tacoma, Wash., was aimed particularly at President Lynch.

AMERICAN ASSOCIATION.

FIRST GAME.

Milwaukee-Louisville, no game, wet grounds.

FIRST GAME.

Score:		R.	H.	E.
St. Paul	013 000 010	5	12	4
Indianapolis	100 000 000	1	4	3

Walker and James; Burk, Norton and Casey. Umpires, Chill and Irwin.

THE WEATHER.

Forecast for Atlanta and Georgia—Fair Tuesday and Wednesday.

AUTO TOUR IS LAUDED BY SLATON

Calls Hearst's Sunday American Pathfinding Trip to Pacific a Sign of Progress.

Declaring that the promotion of good roads and cross-country highways, such as the proposed transcontinental route from Atlanta to San Francisco, was the best evidence of the progress of the people, Governor John M. Slaton Tuesday placed his stamp of approval on the campaign of Hearst's Sunday American to "pathfind" an all-Southern coast-to-coast route, which will be inaugurated next Monday.

The Governor declared emphatically that the promotion of a project of this kind meant not only a bigger and better Georgia but a more prosperous Southland through the closer communication of the people of different States by means of good roads.

"No better evidence of the progress of a people can be had," said Governor Slaton, "than promotions of this sort for better road and highway facilities. Obviously better roads within a State bring the people into closer communication with each other and this makes for increased interchange of both trade and mind products.

Chance to Make Friends.

"Of course there is much larger significance in this project which contemplates a highway from our city through the rich and prosperous Southland all the way to the rich Pacific Coast. Such a highway will afford the people of different States the opportunity to become better acquainted with each other, and, surely, no one can question that this can only be highly beneficial to all concerned. It is especially needed in the South with its wonderful resources, much of which has as yet been barely touched in development.

"I can see no reason why this project inaugurated by The Sunday American should not go through as planned. Just such things were done by the ancient Romans—witness the great highways which stretched out in all directions from ancient Rome, making it the very hub of the world. Surely we can do as much if not more."

Practically every plan for the inauguration of the monster campaign is complete. "Pathfinder" Ferguson has had scarcely a minute of rest since arriving in Atlanta Saturday, for he is leaving out not one detail of the big trip.

Reception Pleases Trail Blazer.

He stated Tuesday that he was much pleased with the reception accorded him since arriving in Atlanta, and would leave the city next Monday with deep regret if it were not for the fact that he is engaged in a campaign which means so much not only for Atlanta, but for Georgia and the South.

The official start from Atlanta next Monday will be featured by a great parade strictly in keeping with the monster campaign which is being inaugurated. Among those who will have a place in the parade will be the Fifth Regiment Band, which will head the procession: a big Alco truck, Chief of Police Beavers in his automobile, Chief Cummings of the fire department, other public officials, including Mayor Woodward and members of the Council, in specially decorated automobiles; scores of automobiles and motorcycles that have participated in the races at the Drome.

Great Auto Parade Planned.

If indications apparent one week before the inauguration of the big campaign amount to anything, Atlanta will witness on next Monday one of the biggest motor parades ever pulled off in the city.

Mr. Ferguson, accompanied by his wife and two children and a local newspaper man, will go direct to Birmingham, the first official stopping place. From Birmingham the party will proceed to Montgomery, thence to New Orleans, Houston, Dallas, Fort Worth, Tucson, San Diego, Los Angeles and San Francisco.

SMITH MEN SCORE 5 IN SECOND

Crackers Jump on Hardgrove and Pound Him From Box; Dent Faces Barons.

Score by innings:

ATLANTA	150 0
BIRMINGHAM	000 0

THE BATTING ORDER.

Agler, 1b	Marcan, 2b
Long, lf	Messenger, rf
Welchonce, cf	McBride, lf
Smith, 2b	Kniseley, cf
Bisland, ss	Mayer, c
Holland, 3b	McGilvray 1b
Holtz, rf	Ellam, ss
Chapman, c	Carroll, 3b
Dent, p	Hardgrove, p

RICKWOOD PARK, BIRMINGHAM, ALA., Aug. 12.—Billy Smith's warriors jumped on Hardgrove in the first and second innings and amassed a lead of six runs over the Barons. He was replaced by Gregory in the third inning.

Elliott Dent was on the hurling hill for the visitors and was strong in the early session.

FIRST INNING.

Agler out, Ellam to McGilvray. Long out over the same route. Welchonce beat out a bunt. Smith doubled to right scoring Welchonce. Bisland popped to McGilvray. TWO HITS, ONE RUN.

Marcan walked and was out stealing, Chapman to Smith. Messenger flied to Welchonce. McBride popped to Holland. NO HITS, NO RUNS.

SECOND INNING.

Holland singled to left. Holtz popped to McGilvray. Chapman walked. Dent singled to right scoring Holland, Chapman went to third. Agler hit by pitched ball. Long walked, forcing in Chapman. Welchonce singled to left scoring Dent and Agler. Smith flied to McBride. Long scored after the catch. Bisland out, Marcan to McGilvray. THREE HITS, FIVE RUNS.

Kniseley popped to Bisland. Mayer flied to Long. McGilvray out, Smith to Agler. NO HITS, NO RUNS.

THIRD INNING.

Gregory relieved Hardgrove. Holland singled to center. Holtz hit into a double play, McGilvray to Ellam to McGilvray. Chapman out, Ellam to McGilvray. ONE HIT, NO RUNS.

Ellam out, Bisland to Agler. Carroll singled to center. Gregory out, Smith to Agler. Marcan out, Agler to Dent. ONE HIT, NO RUNS.

FOURTH INNING.

Dent popped to Marcan. Agler popped to Carroll. Long out, Marcan to McGilvray. NO HITS, NO RUNS.

Messenger popped to Chapman. McBride flied to Holtz. Kniseley fanned. NO HITS, NO RUNS.

CAROLINA LEAGUE.

FIRST GAME.

Score:		R.	H.	E.
Charlotte	040 003 001	8	17	2
Raleigh	000 001 000	1	8	1

Jarman and Lidgate; Fahrer and McPherson. Umpire, McBride.

Portsmouth-Newport News, rain.

Richmond-Petersburg, rain.

EMPIRE LEAGUE.

AT WAYCROSS—			
BRUNSWICK—	1..	...	-
WAYCROSS—	0..	...	-

Faircloth and Coveney; Hartner and Pierre. Umpire, Derrick.

AT AMERICUS—			
CORDELE—	000	0..	-
AMERICUS—	200	0..	-

Hall and Bowdon; Dacy and Manchester. Umpire, Gentle.

AT THOMASVILLE—			
VALDOSTA—	0..	...	-
THOMASVILLE—	1..	...	-

Zellers and Wise; Day and Dudley.

SOUTH ATLANTIC LEAGUE.

AT CHARLESTON—			
MACON—	001	...	-
CHARLESTON—	000	...	-

Smith and Berger; Winchell and Menefee. Umpire, Moran.

AT JACKSONVILLE—			
SAVANNAH—	01.	...	-
JACKSONVILLE—	00.	...	-

Robertson and Geibel; Burmeister and Krebs. Umpire, Barr.

SOUTHERN LEAGUE

AT MOBILE				
MONTGOMERY	20.	...	...	-
MOBILE	20.	...	...	-

AT NASHVILLE—				
CHATTANOOGA	1..	...	...	-
NASHVILLE	0..	...	...	-

AT MONTGOMERY—				
MEMPHIS	0..	...	...	-
NEW ORLEANS	0..	...	...	-

Kissinger and Seabough; Glavinich and Yantz. Umpires, Pfenninger and Stockdale.

AMERICAN LEAGUE

AT PHILADELPHIA—				
CHICAGO	010	000	2..	-
PHILADELPHIA	000	000	1..	-

Scott and Kuhn; Brown and Lapp. Umpires, Connolly and Ferguson.

AT NEW YORK—				
ST. LOUIS	100	204	0..	-
NEW YORK	100	000	0..	-

Mitchell and Alexander; Schulz and Sweeney. Umpires, O'Loughlin and Sheridan.

Cleveland-Washington, no game; rain.

Other games not scheduled.

NATIONAL LEAGUE

AT PITTSBURG—				
CINCINNATI	200	000	0..	-
PITTSBURG	400	100	0..	-

Brown, Packard and Clarke; McQuillen and Gibson. Umpires, Brennan and Eason.

AT BROOKLYN—			
NEW YORK	100	003	... -
BROOKLYN	201	100	... -

Demaree and McLean; Walker and Fischer. Umpires, O'Day and Quigley.

FIRST GAME.

AT BOSTON—							
CHICAGO	100	200	000	-	3	5	3
BOSTON	000	034	00	-	7	10	4

Cheney, Moore and Archer and Bresnahan; Dickson, Perdue and Rariden. Umpires, Klem and Orth.

SECOND GAME.

CHICAGO	100	00.	... -
BOSTON	110	23.	... -

Stack and Bresnahan; Hess and Whaling. Umpires, Klem and Orth.

Other games not scheduled.

SULZER BATTLES IMPEACHMENT PROCEEDINGS

ALBANY, N. Y., Aug. 12.—At 3:15 p. m. the Assembly took a recess until 8:30 to-night. The majority to pass the impeachment resolution is still lacking, but the anti-Sulzer leaders expect to have the members rounded up to-night.

ALBANY, N. Y., Aug. 12.—Governor William Sulzer's political life hangs in the balance to-day. Faced by a hostile Legislature, Governor Sulzer, with his back to the wall, fought with more vigor than he had pressed into any other contest in his long political career.

Before the Assembly convened to vote on the resolution that Sulzer should be impeached for "high crimes and misdemeanors" for the alleged private use of political funds and speculation in Wall Street, opponents of the Governor claimed to have enough votes to pass the resolution.

At least five of the judges of the Court of Appeals must participate in the impeachment trial, and supporters of Governor Sulzer rely upon the judicial rather than the legislative action of the proposed court of impeachment for a favorable decision in the involved case.

The resolution of impeachment, whose formulation is based on findings of the Frawley legislative committee, was introduced in the Assembly at 12:15 a. m., when 101 of the 150 members were present, but it was predicted that close to a full attendance would be on hand to-day. Democrats opposed to Governor Sulzer appointed committees to see that every member was in his seat.

INTERNATIONAL LEAGUE.

FIRST GAME.

Montreal-Baltimore, no game, wet grounds.

FIRST GAME.

Score:		R.	H.	E.
Rochester	000 100 000	1	8	1
Newark	000 200 00x	2	5	1

Keefe and Jacklitsch; Barger and Higgins. Umpires, Mullen and Kelly.

SECOND GAME.

Montreal-Baltimore, no game, wet grounds.

PLAN 16 STORIES ON BROWN AND ALLEN SITE

Dr. E. L. Connally and associates will soon start the construction of a sixteen-story office building on the site of Brown & Allen's drug store, southeast corner of Whitehall and Alabama streets, if plans which are under way are consummated. Announcement was made unofficially at noon Tuesday that Dr. Connally has been in consultation with W. L. Stoddart of New York and Atlanta, and other architects, from whom he has received tentative plans.

In fact, an engineer representing a local architect surveyed the ground last week and made measurements of the stores in the building. Dr. Connally could not be reached for an expression as to his plans, and his son, Thomas W. Connally, refused to be quoted.

Such a move has been in contemplation for several years. Two years ago Dr. Connally had an architect sketch a twenty-story building, and since then he has had more or less definite intentions to erect a building that will be a credit to the section and to the city.

The structure which Dr. Connally is planning will cost probably $750,000, and will be a distinct addition to the line of attractive buildings on Whitehall. It will probably be known as the Connally Building, after its builder, who likewise erected the old structure.

The present building is 30 years old and it must soon be repaired or torn down. About a year ago a brick wall was placed in the center. The structure is three stories and of brick.

The lot is about 90 feet square, and a sixteen-story office building would give 129,600 square feet of floor space. Frontage near this point seldom changes hands, but is estimated to be worth from $7,500 to $10,000 in a transaction with no exchange elements, or $675,000 to $900,000.

Brown & Allen now pay $1,000 a month for the corner, it was declared.

STATE CHARGES THAT ATTACK ON GIRL WAS PLANNED BY ACCUSED

Here are the important developments Tuesday in the trial of Leo M. Frank, charged with the murder of Mary Phagan:

State announces its theory that Frank planned a criminal attack upon Mary Phagan the day before she came to the factory for her money.

The court and chaingang record of C. B. Dalton, the State's witness who testified that he had seen women in Frank's office, was shown up by the defense and admitted by Dalton.

Four acquaintances of Dalton testify that they would not believe him under oath and that his reputation for truth and veracity is bad.

C. E. Pollard, expert accountant, testifies that it required him three hours and eleven minutes to compile the financial sheet that the defense claims Frank prepared the afternoon of the murder.

Miss Hattie Hall, stenographer, says that Frank did no work on the financial sheet Saturday morning, the day of the crime.

Jim Conley's declaration that Lemmie Quinn came into the factory and left before the arrival of Monteen Stover, who came at 12:05 o'clock, is challenged by the testimony of Miss Hall, who swears Quinn did not enter the factory before she left at 12:02 o'clock.

Magnolia Kennedy, worker at the pencil factory, testifies she laid her hand and Helen Ferguson's shoulder when they drew their pay and that the girl did not ask for Mary Phagan's wages. She says Schiff paid off. Miss Kennedy says hair found in lathe looked like slain girl's.

Sinister intimations made by Solicitor Dorsey in questioning Will Chambers, a boy in the factory, who denies alleged conversations, are ordered ruled out.

Attorney Arnold threatens to move for a mistrial if any further intimations of this sort are allowed to be heard by the jury.

Minola McKnight, cook in the Frank household, gives evidence against that offered by her husband and declares detectives tried to make her swear to lies. She admitted she signed the affidavit reporting alleged conversations between Mrs. Frank and the prisoner, but insisted it was a lie and that she signed because the detectives threatened to lock her up if she did not.

Determined attempts by the State to introduce further evidence of the alleged degeneracy of Leo M. Frank were frustrated Tuesday afternoon by the protests and objections of Attorney Reuben Arnold.

"If any further effort is made to introduce such testimony, I shall move for a mistrial," declared Arnold to the court.

Solicitor Dorsey sought to get the testimony from Philip Chambers, a 15-year-old office boy who was in the pencil factory from last December until March. The Solicitor Questioned the boy about alleged conversations with J. N. Gantt, and the boy denied them. Arnold objected and all the questions along this line were ruled out. Dorsey said he would call Gantt in rebuttal.

Minola McKnight, the negro cook whose sensational affidavit concerning occurrences in the Frank home the day of the tragedy and the night and morning following created a stir early in June, utterly repudiated the affidavit to Attorney Arnold and Solicitor Dorsey.

She declared that it all was "a pack of lies" and that she had been browbeaten and bulldozed by the detectives into signing it under threat of spending a term in jail.

All of this, she swore, had been invented by her husband. In addition, she declared her husband had not been at the Frank home April 26. McKnight swore he was there and saw Frank come home and then depart hurriedly without eating anything.

Dorsey was not able to shake her in her denials of the truth of any part of the statement.

Gordon Bailey, one of the sweepers at the factory, testified that he had not heard Frank ask Conley to come early Saturday to the factory and that he never had seen women in Frank's office nor Conley watching at the factory door.

He testified that he saw Conley looking at the newspapers at the police station.

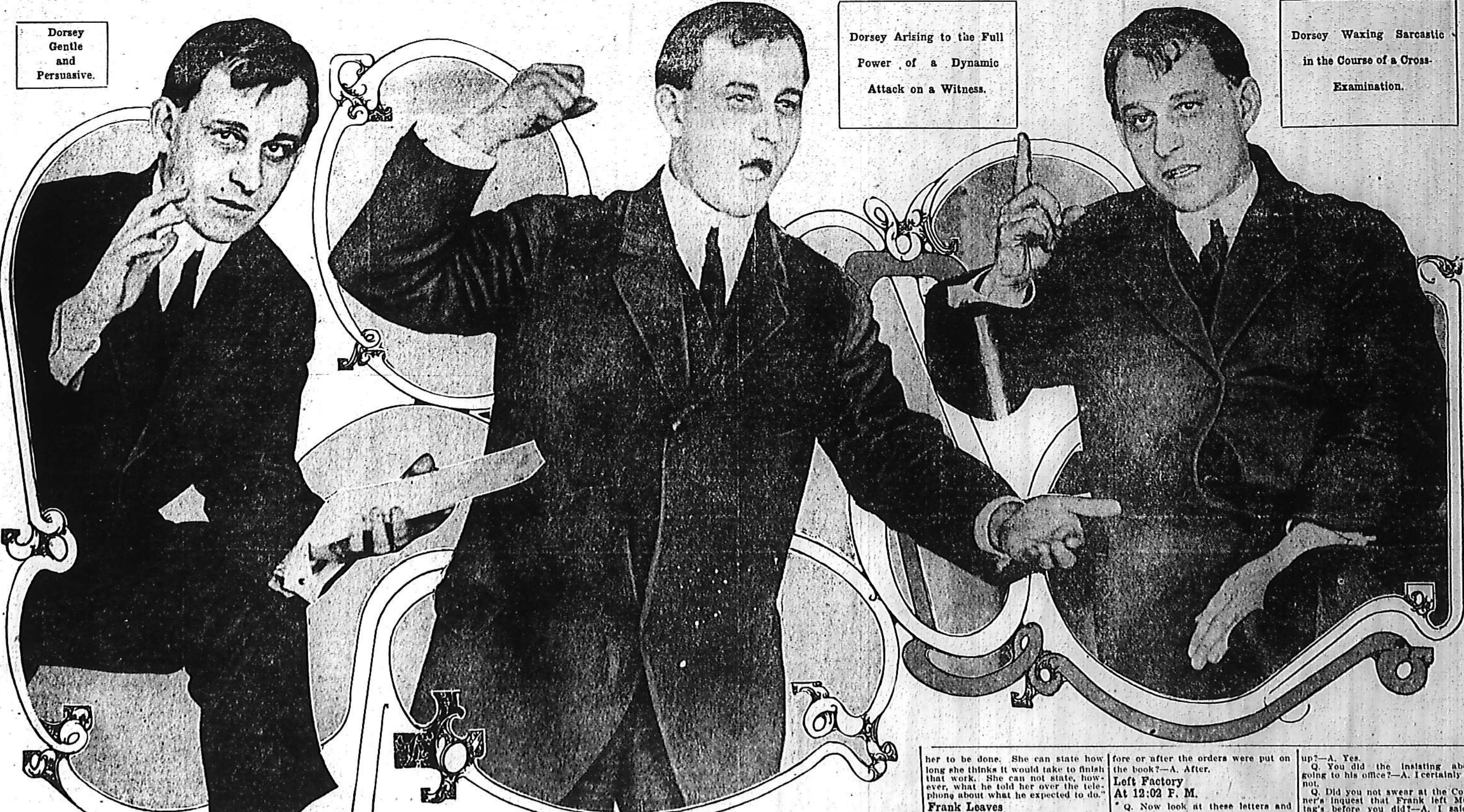
The State definitely announced Tuesday its theory that Frank deliberately premeditated and planned a criminal attack upon Mary Pragan Friday, April 25, the day before she came to the factory and was slain.

Frank A. Hooper, associated with Solicitor Dorsey in the prosecution, made the surprising announcement of the State's attitude during a heated argument over the admissibility of a portion of the testimony of one of the defense's witnesses, Miss Hattie Hall, stenographer at Montag Bros. and occasionally employed at the National Pencil Factory.

That the State was working upon the theory of premeditation was hinted by the questioning of Helen Ferguson several days ago but Attorney Hooper's address to the court was the first open declaration.

The court and chaingang record of C. B. Dalton, a State's witness against Frank, was given an airing by Attorney Arnold. Dalton was recalled to the stand and made to admit that he had been sent to the chain gang in

SOLICITOR HUGH DORSEY GRILLING WITNESSES IN FRANK CASE



Dorsey Gentle and Persuasive.

Dorsey Arising to the Full Power of a Dynamic Attack on a Witness.

Dorsey Waxing Sarcastic in the Course of a Cross-Examination.

The Able Manner in Which Dorsey Has Handled Case Has Added to His Reputation.

FRANK PLANNED ATTACK, STATE ALLEGES

Continued From Page 1.

1894 on three separate counts for stealing in Walton County.

Dalton also admitted that he had been indicted in 1899 in Walton County for theft and had paid a fine of $141.46.

Attorney Arnold showed the witness copies of four indictments and asked if he knew these had been issued against him in Walton County for selling liquor to Don Tillman and Bob Harris. Dalton denied all knowledge of the indictments.

Witnesses Assail Dalton's Character.

As soon as Dalton left the stand V. S. Cooper, J. H. Patrick, W. T. Mitchell and I. M. Patrick; all residents of Walton County, were called to the stand and testified that they knew Dalton and that they wouldn't believe him on oath in a court of justice.

Misses Laura Atkinson and Minnie Smith were called and denied Walton's testimony in regard to being in their company.

Dalton testified, when he was called by the State last week, that he had visited the factory basement with Miss Daisy Hopkins and that he frequently had seen Frank in his office with women.

An unassailable alibi was the object in view when the attorneys for Frank began the questioning of a long line of witnesses who were called to testify in regard to every known movement of Frank Saturday, April 26, the day that Mary Phagan was slain.

The testimony of Miss Hattie Hall was the first along this line. That of Alonzo Mann, office boy, was next.

That Frank did not do any work on the financial sheet Saturday forenoon was one of the most important declarations made by Miss Hall. She had testified at the Coroner's inquest that she assisted Frank in compiling this sheet, but she explained to Solicitor Dorsey that she was mistaken, and it was only one of the tabulations from which the financial sheet was being made that she had worked on.

Her testimony on this point strikes at the State's theory that Frank did the work in the forenoon.

Miss Hall also testified that Frank signified his desire to have her work for him at the factory in the afternoon and had asked Harry Gothelmer to come back to the factory in the afternoon, requests which the defense will claim establish conclusively that Frank was not arranging for the commission of any crime or wrongdoing Saturday afternoon.

The witness said that she left the factory first at 12 o'clock as the whistles were blowing, but that she forgot her umbrella and returned to Frank's office for it, noting that it was 12:02 as she left finally. She declared that she did not see Lemmie Quinn enter Frank's office. Conley testified that he saw Quinn enter the factory before the arrival of Monteen Stover or Mary Phagan. The Stover girl said she reached the office floor at 12:05 o'clock.

Miss Hall indignantly denied the imputation of Solicitor Dorsey that her salary had been raised as the result of the testimony she was giving. She said that it had been agreed when she entered the employ of Montag Bros. that she was to get an increase of salary August 1, and that she had been unable to get it before this time.

Wade Campbell an inspector at the factory came in for a rigorous grilling at the hands of Solicitor Dorsey. Campbell testified that his sister, Mrs. Arthur White, had told him she had seen a negro at the foot of the stairs on the first floor when she went into the factory at 12:30 o'clock.

Campbell Grilled On Affidavit.

"Don't you know that what she actually said was that she saw the negro at 12:50 when she left?" inquired the Solicitor.

Campbell denied that this was so. The Solicitor then showed Campbell an affidavit and asked if it was not his signature at the bottom. Campbell said that it looked like his writing, but that he would not say positively. He denied that he had made the statement in the affidavit in which he was quoted as saying his sister had told of seeing the negro as she left the factory.

The witness on his redirect examination testified that he had seen Conley reading in the factory several times after the crime. Conley said on the stand that he was unable to read, except for a few simple words.

C. E. Pollard, an expert accountant, was the first witness called. He began to testify as to the time required to make out the finance sheet. Attorney Rosser said that the defense probably would conclude its expert testimony with Mr. Pollard, and that Miss Hattie Hall, stenographer for Montag Brothers, would be the next witness.

Pollard testified that the minimum time in which Frank could have compiled the finance sheet was three hours and eleven minutes. This bore out the testimony of Herbert Schiff, Frank's co-worker, and Joel Hunter, expert accountant.

Over Three Hours To Compile Report.

Q. What is your business?—A. Certified public accountant.

Q. Have you had occasion to go over the financial sheet of the National Pencil Company of the week of April 24 prepared by Leo M. Frank? A. I went over a copy of it.

Q. Have you also seen the factory record called the pencil sheet?—A. Yes.

Q. Were you also furnished data necessary to make that sheet?—A. Yes.

Q. I will get you to state as an expert how long it would take to complete it?—A. I took each sheet, compiled it, and timed myself as to the length of time necessary. I prepared the sheet of the 24th day. It took me ten minutes.

Q. Were there any mistakes?—A. Yes, a little one—of one and one-half gross. It was hard to say whether it was my mistake or his.

Q. Now state the total time it took you?—A. A total of 191 minutes, or 3 hours and 11 minutes.

Q. Was that the quickest?—A. Yes.

Q. In other words, you took exactly the work that he did?—A. Yes; what I was told he did.

Q. That was steady work without interruption, wasn't it?—A. Yes.

Q. How long have you been an auditor?—A. Sixteen years.

Q. Have you an office here?—A. I am with the American Audit Company.

Q. That mistake occurred before you took up the sheet, did it not?—A. One mistake was made the Saturday before and one on Friday.

Q. Are those two trifling mistakes—a mistake of 50 cents and a gross and a half of pencils—the only mistakes you found?—A. Yes.

Attorney Hooper took the witness on cross-examination.

Q. Mr. Pollard, this is rather an unusual assignment for you, is it not, to go over a man's business and undertake to state how long it takes him to do it?—A. No, I think not. Frequently we are called on to estimate the time it takes to do work in changing systems.

Q. Is it not true that a man can work his own books better than any one else's books?—A. Yes.

Mr. Arnold took the witness.

Q. How many times would a man have to multiply, divide and subtract in making up that sheet?—A. Well, 40 multiplications and 160 additions, and I can't guess on the rest.

Aimed to Show Conduct.

The witness was excused and Miss Hattie Hall was called. She was questioned by Attorney Arnold.

Q. What is your business?—A. Stenographer-bookkeeper at Montag Brothers.

Q. Do you ever go to the National Pencil Company?—A. When necessary.

Q. On Saturday, April 26, did you see Leo M. Frank?—A. About 10 o'clock at Montag Brothers.

Q. Did he say anything?—A. Yes, he asked me if I could come over and do some work. I told him I didn't know, but thought I could.

Dorsey interrupted:

"I object to anything he said to her."

Arnold: "Your honor, it is part of res gestis in this case."

Dorsey: "Here is this dead girl. They would not let her show what she said at 12 o'clock and I can conceive of no principle of law that would let them show what this man said and not let her show what the deceased said."

Arnold: "This is merely to show a course of conduct."

Judge Roan: "I can see no analogy between the two cases. I rather think you can ask the question."

Dorsey: "Well, this is a very important point, your honor, and we would like to give you some authorities."

Judge Roan: "All right."

Dorsey then read at length from the Eighty-fourth Georgia Report.

Judge Roan: "Do you expect to follow that question by showing that he had certain work to do and engaged her to do it?"

Arnold: "Yes."

Judge Roan: "Then I will let you ask it."

Dorsey threw his book on the table and sat down, laughing. Arnold continued the questioning.

Q. When did you call him first?—A. He called me up before 10 o'clock and said he had work enough to do to keep him busy until 6 o'clock.

Dorsey: "Is your honor going to let that telephone conversation in?"

The Solicitor's objection was overruled.

Q. Miss Hall, did you recognize his voice?—A. I certainly did.

Q. What time did you see him that Saturday morning?—A. About 10 o'clock.

Q. Had you worked for him before?—A. I had been accustomed to going over and helping him on Saturdays. I asked him if he was going to need me. He said, "Yes," that he had so much work to do that he would be busy until 6 o'clock.

Dorsey Calls Halt; Roan Sustains Him.

Dorsey interrupted. "You honor, are you going to let that in?"

"Judge Roan: "I don't think I will."

Arnold: "Your honor, I wish you would let me argue for a moment. Even the State does not claim any crime was committed at that time. There is no reason in the world to suppose that the accused would not have told the truth at that time. I believe that if a part of the conversation is admissible, all of it is admissible. You must admit it all to explain part. You would do this young man an injustice to shut out this evidence of this day's program, when there was not the slightest motive to be otherwise than truthful."

"Mr. Dorsey has sought to show," continued Mr. Arnold, "that this financial sheet could have been made up in the morning. We are just trying to show that it was impossible. Now I will read you a decision in which I participated with the father of my good friend, the late Judge Dorsey. It was 24 years ago."

Rosser: "Are you that old, Mr. Arnold?"

Arnold: "Yes, I am 24."

"Dorsey: "That case has nothing to do with this one. That was a case where a man on trial for murder swore to a lie."

Arnold: "It was charged that it was a lie. We never did believe it."

Dorsey: "He was convicted."

Arnold: "Yes, he was convicted."

Judge Roan ruled: "Mr. Arnold, this young woman can show that she was called, what she was requested to do, and what was shown her to be done. She can state how long she thinks it would take to finish that work. She can not state, however, what he told her over the telephone about what he expected to do."

Frank Leaves Court With Sheriff.

Arnold: "We want to note an exception to that."

Q. Miss Hall, what time did you go to Mr. Frank's office?—A. Between 10:30 and 11 o'clock.

Q. Did you take dictation in his inner office, or in his outer office?—A. In the inner office.

Q. Where did you write it?—A. In the outer office.

At this point Leo Frank went out of the courtroom with Sheriff Mangum. Mr. Hooper jumped up and whispered to Mr. Arnold.

Arnold—Yes, I waived his presence.

Judge Roan—I excused the prisoner properly.

Hooper—I just wanted to know if the defense had waived his presence.

Q. Now, we only have ten orders here. See if they are the ones Frank handed you?—A. Yes. My initials are on them. They are the ones.

Q. Now, the orders are sometimes acknowledged as the first step?—A. Yes; in that case they were.

Q. Do you recall to whom Frank was talking that morning?—A. Yes, but I don't recall the names. A man and his son came in. Then there was Miss Corinthia Hall and Mrs. White.

Q. Do you recall what any of them said?—Yes; Mrs. White said she wanted to see her husband.

Q. During this time was Mr. Frank working on this financial sheet or any other similar document?—A. He was not.

Q. Are you familiar with his handwriting?—A. Not very.

Q. I will get you to look on this order book and see if those orders are entered.

The wintess read the eleven orders from the order book.

Q. Now, is that your handwriting?—A. No; I think it is Mr. Frank's.

Q Did you write any of these requisitions?—A. No.

Q. Do you know who did?—A. I understood Mr. Frank did.

Q. Were the requisitions made before or after the orders were put on the book?—A. After.

Left Factory At 12:02 P. M.

Q. Now look at these letters and see whether Frank dictated them?—A. Yes.

Q. How many?—A. Eight, and one he did not dictate.

Q. Did he sign them?—A. Yes, I took them to him after I had typed them.

Q. Did he do any work on that financial sheet while you were there?—A. No.

Q. What time did you leave?—A. Just as I got on my hat and started for the door I heard the whistle blow for noon.

Q. Is there a regular whistle that blows for 12 o'clock?—A. Yes, there are several whistles.

Q. What did you do then?—A. I got to the bottom of the steps and remembered that I had forgotten my umbrella. I went back and got it. It was two minutes past 12 o'clock as I passed the time clock.

Q. Did you see any little girl in the building?—A. I did not.

Dorsey took the witness on cross-examination.

Q. Did you call Frank or Frank call you that Saturday morning?—A. I called him.

Q. He had a regular stenographer, didn't he?—A. They had a stenographer, but she didn't do but about one-third enough work so I had to go.

Q. Miss Hall, what were you receiving at that time?—A. Ten dollars and fifty cents a week.

Q. What are you getting now?—A. Fifteen dollars a week, and I want to explain——

Q. Never mind, just answer my questions. Didn't you state in a soda fountain last night that the raise came to you without asking for it after it was known that you were to be a witness?—A. Indeed, I did not. I don't go to soda fountains. I want to explain.

Attorney Arnold—Let her explain.

A. I insisted that they give me this raise on July 1, but they wouldn't give it to me until August 1.

Q. Did Frank come to Montag's before or after he called you up?—A. After.

Q. You are the one who called him up?—A. Yes.

Q. You did the insisting about going to his office?—A. I certainly did not.

Q. Did you not swear at the Coroner's inquest that Frank left Montag's before you did?—A. I said I did not recall.

Q. You acknowledged these orders with a postcard and letter?—A. Yes.

Q. You wrote those between 10:30 and 12?—A. Yes.

Q. Did you state to the jury Frank left before you did?—A. I don't recall.

Q. How long would it take you to fill out the blank?—A. I never timed myself.

Talked Over Time With Office Boy

Q. Didn't you swear before the Coroner that it would not take more than one minute?—A. I don't know.

Q. Did you say Frank was at the office when you got there?—A. I said I did not recall.

Q. Who came in while you were there?—A. Two men and three women.

Q. What time was it the office boy left?—A. 11:30.

Q. Didn't you tell the Coroner you could not tell the time?—A. Yes.

Q. How do you know now?—A. The boy told me.

Q. You talked it over with him?—A. Yes.

Q. Where were you when those people came in?—A. In the outer office.

Q. How long were you there when these people came in?—A. I do not recall.

Q. Didn't you tell the Coroner it was fifteen minutes?—A. I don't remember.

Q. How long was it after those let-

Continued on Page 4, Column 1.

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FRANK TRIAL WITNESS IS SURE, AT LEAST, OF ONE THING--A 'GOOD RAGGING'

By JAMES B. NEVIN.

Reader, proverbially gentle, if not always so, be glad, be joyful, and be filled with exceeding thankfulness that you have not been summoned, no matter which way, as a witness in the Frank trial!

Of course, there is a large, fat chance that you have been summoned—most everybody has—but be all those nice things aforesaid, if you haven't.

And even at that, knock on wood.

The trial is young yet—it is not quite three weeks old, three weeks, count 'em—and there still is time for somebody or other to remember that you may know something or other about something or other that may have something or other to do with the case.

Anyway, if you can't be glad and all the rest of it, be just as glad and as nearly all the rest of it as you can, while the being is good or in anywise promising.

If you are a witness in the Frank case, you are skating on about the thinnest ice ever—it makes no difference whatever whose pond you are skating on.

You are ambrosia and cake to one side and you likewise are gall and wormwood to the other—be very sure of that!

If your wife will have anything at all to do with you, and if the neighbors love you any more, when you get back home, it will be entirely because one side or the other forgot to mention the fact that once upon a time you were a horse thief, or somebody said you were a horse thief, or that you had an uncle who was a horse thief, or some pleasant little thing like that.

They don't care particularly whether you ever look like anything any more, after they get through with you down there in the big court nowadays.

Cross-Examining Is What Hurts.

Always on the direct examination, of course, the sledding is elegant.

The gentlemanly party then asking you gentlemanly questions wouldn't hurt your feelings for the world.

He knows you are a law-abiding citizen, and worthy of any trust. He dotes upon you. He loves you. He is your friend until that thing that now and then breaks loose in Georgia freezes over!

Mighty fine—but you haven't yet discovered what's coming to you!

Wait until the cross-examining attorney gets you in his demoniac clutches!

Far be it from him to remember that you have any kinfolks outside the penitentiary, or that you ever told a truth in your life.

He plainly but pointedly is perfectly willing to bet, right there, that you couldn't tell the truth in three trials, and he will lay you big odds on it, moreover!

Now, of course, the following is not precisely a sample of what has been going on in the courthouse of late, ever since the trial began, in fact, but it is about the way it must seem to many witnesses and spectators to have been, after the day is over and they undertake to recall the things that transpired.

"Mr. Witness," begins the cross-examiner, "you told the learned counsel (sarcastic smile) upon the other side, I believe, that you saw an owl sitting on the back fence about three minutes and two ticks past 8:34 on the night of the killing?"

"Mr. Witness" needn't be the least, tiny bit fooled by that "Mr." business—the cross-examiner would scorn to call a witness "Mister," more than once—after that. It merely is "You, Smith," or "Smith," or "Look here, now," or something snappy and snortish.

Witness: "I said I thought it was an owl—it looked like an owl."

Begins to Shake Finger.

Attorney: "W-H-A-T! Didn't you just now, in the presence of this erudite jury (shaking finger vigorously under witness' nose), swear positively (shake) and without reserve (shake), air (shake, shake, shake), that it WAS (shake) an OWL?"

Witness: "Why-er-um-I couldn't swear it was an owl exactly—it has big eyes, anyhow!"

Attorney: "Big eyes? B-A-H! Also B-A-H, B-A-H! Likewise B-A-H, B-A-H, B-A-H!! Then (very sarcastically) it might have been a cat, eh?"

Witness: "Well, sir (very apologetically), I don't think it was a cat—it didn't say 'Meow!'"

Attorney: "Come, come, person. I don't want to know what you THINK—how dare you think, anyway?—you didn't hang around there to HEAR whether it said 'Meow,' did you?"

Witness: "No, sir (very much abashed); I admit I didn't hang around. Owls make me nervous, anyway!"

Attorney: "I've no doubt (sardonic smile) they make you nervous! By the way, person, didn't one of your honorable ancestors (profound sarcasm) come over to this country with Captain Kidd, the well-known pirate?"

Witness: "Um, oh, I——"

Attorney: "Come, come now, answer me; speak right out; tell the truth, if you CAN; did he?"

Drags Wife Into Mix-Up.

Witness: "I really can not say, sir. You see that's been so long ago, and I weren't there, either, and——"

Attorney: "Well, you won't (more finger shaking under witness' nose) DENY that one of your ancestors may have been a pirate, will you?"

Witness: "I-er-hump-can't say. I'll ask my wife when I get home. Maybe she knows."

Attorney: "You'll ask you wife, will you? Is she your OWN wife?"

Here the Pleasant Lawyer gets up, and says:

"Your honor, I object to that question. What has a man's own wife got to do with this case?"

His honor doesn't answer right off the reel, so the other lawyer jumps up and withdraws the question.

This makes the witness feel pretty good, for he knew he had a wife when he left home that morning, but he doubts that he can swear positively to any such circumstance now.

Attorney, beginning cross-examination once more: "Let's go back to that owl. What sort of an owl was it, if (more sarcasm) it WAS an owl?"

Witness: "It LOOKED like a screech owl."

Attorney: "Well, a screech owl goes 'screech' and a hoot-owl goes 'hoot,' doesn't it?"

Witness: "I am not sure, sir. I think that's the way it is. I don't know much about owls."

Attorney, shocked almost speechless: "And here you have been telling this poor, unprotected, orphaned jury, these swell, elegant gentlemen, ALL about owls, and now you say you don't know anything about them."

Witness: "Well, ah, oh, I sup——"

Attorney: "Don't you know an owl is a member of the striges family?"

Witness: "Of the Who-ges family?"

Attorney: "Come, now, don't get gay with me, atom. Don't you know the owl is a member of the striges family?"

Witness: "Never met such a family. They don't live on my side of town."

Attorney: "Well, if you saw in the big dictionary that the owl is of such a family, would you say it was true?"

Witness, perking up a bit: "If I saw it in the city directory, I might believe it, but what's the dictionary got to do with it?"

Attorney, waxing superlatively sarcastic: "Will you speck on the face of creation, kindly permit ME to ask the questions? All I ask of you is that you let ME do that, then" YOU answer, if you CAN."

Then the Pleasant Lawyer gets up again.

It certainly is a relief to a witness when the P. L. prizes to speculate a few broken observations. He is the only rainbow in sight, once things get going.

Pleasant Lawyer: "Your honor, I submit that the big dictionary itself is the highest evidence of what the big dictionary says. If the learned counsel on the other side (great gobs, clusters and festoons of sarcasm) wishes to know WHAT the big dictionary says about owls, screech or otherwise, let him tender the BIG DICTIONARY, and stop smarling and beefing at this gentlemanly, talented, honest and exceptionally bright witness!"

The witness thanks the pleasant lawyer for them kind words, all right, for they are the first he has heard in many hours.

Mean Attorney: "Well, animal, have you a big dictionary at home?"

Witness: "No, sir; the one I use is over in the State Library."

Pleasant Lawyer: "Now, then, your honor, since this accommodating witness has answered the questions, I move that the able (withering contempt) counsel on the other side be required to bring the State Library into court, or shut off their questions about owls. I move to strike from the record everything this downtrodden witness has said about owls, unless the State Library be brought over and handed to the jury for inspection."

Mean Attorney: "Does your honor mean to tell me—ME—that I must bring the entire State Library into court, in order to prove that an owl is a member of the striges family, merely because this stubborn and evidently partisan witness will not say?"

His honor, sighing, patiently: "Well, gentlemen, what has this aforesaid and hereinbefore mentioned owl TO DO WITH THIS CASE, ANYWAY?"

Mean Attorney, getting red in the face, probably about to explode with righteous indignation: "What has it to DO with the case? Why, your honor, opposing counsel brought out the question of owls. Didn't this witness, brazenly and with palpable malice aforethought, say to this grand and magnificent jury that when he went home last Thanksgiving night he saw an owl sitting on the back fence?"

The Grand Climax.

Pleasant Attorney: "I don't think the gentleman said Thanksgiving night; I think it was Christmas. It makes a lot of difference in the matter of seeing things at night, as your honor may know, or—er—may have heard, whether it be Thanksgiving or Christmas. Besides, he didn't say he saw an owl sitting on the back fence. He merely said he went home that night on an owl car."

Everything about owls, the owl car and the back fence is ruled out, and the Mean Lawyer sits down, evidently greatly chagrined and angered.

And the witness?

About all the witness hopes is he leaves the stand is that his wife at home—if she's still there—loves him, anyway, and will continue to think well of him hereafter, notwithstanding the fact that he has been a witness in Atlanta's most famous murder trial.

It makes no difference whatever which side summons you to testify in the Frank case, it's tough luck! You can't win.

You will be made to wish you never had been born before they get through with you—that's the surest thing you know!

PENCIL FACTORY GIRL WHO WILL TESTIFY FOR THE FRANK DEFENSE

Eula May Flowers, Who Will Testify for Frank.

Augusta to Share Crop-Moving Fund

AUGUSTA, Aug. 12.—Albert S. Hatch, president of the Merchants' Bank and a member of the committee of the Augusta Clearing House Association, sent to Washington to confer with Secretary McAdoo, of the Treasury Department, in regard to money with which to move the crops, has returned and announces that Augusta spoke for $600,000, which she will get if she wants it. Hatch said Augusta could have probably gotten more had she asked for it.

Georgia J. O. U. A. M. In Session at Macon

MACON, Aug. 12.—The nineteenth biennial convention of the Junior Order of United American Mechanics met here to-day, with about 150 delegates, representing the various councils in the State, in attendance.

It is probable that the next meeting will go to Athens, and that Benjamin J. Symons, of Savannah, will be elected councilor to succeed Judge W. W. Shepard, of Savannah. O. H. Puckett, of Atlanta, state treasurer, is assured of re-election.

Extra Police to Curb Thieves Bryan Day

STROUDSBURG, PA., Aug. 12.—Expecting an unusual representation of pickpockets when William J. Bryan makes his chautauqua address here, August 28, the borough fathers, at their regular monthly council meeting, have taken decided action.

Secretary Williams was directed to ask Superintendent Groome to have the State constabulary here on Bryan day. The occasion is expected to draw a larger crowd than any circus day in the last 25 years.

900 Young Women Ask to Join Army

Special Cable to The Atlanta Georgian.

PARIS, Aug. 12.—The War Minister has received a petition from 900 young Frenchwomen who ask to be allowed to join the army in the auxiliary services.

They declare they are prepared to submit absolutely to military discipline, adding that their dearest hope is to consecrate part of their youth to France, and thus co-operate with their brethren in the national defense.

WONDERFUL HOW RESINOL CURED ITCHING HUMOR

New York, N. Y., May 19, 1913: —"I was taken with a terrible itching and burning in my hands. They would crack and bleed. I could not do my work. I had to walk the floors at night. I tried ——— and ———, but no relief, until I used Resinol Soap and Resinol Ointment—then I could go to sleep. The Resinol treatment is something wonderful, for if you could see my hands, you would never think that they were ever sore—they are so nice and soft, and I can do all my work now." (Signed) Mrs. Wm. Sutherland, 135 East 71st St.

For 18 years Resinol has been a doctor's prescription and household remedy for eczema, ringworm, pimples, dandruff, wounds, burns, sores and piles. Resinol Ointment and Resinol Soap are sold by all druggists. Trial free; Dept. 5-R, Resinol, Baltimore, Md.

SUICIDE BY DYNAMITE.

ALTOONA, PA., Aug. 12.—Placing two sticks of dynamite in his vest pocket, Henry Boldt, 55, applied a match to the fuses and was blown to pieces.

$6 WRIGHTSVILLE BEACH

Round trip Saturday, August 23. Special train, sleepers and coaches. Leave Old Depot 6 p. m. SEABOARD.

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Keeps the armpits fresh, dry and natural. No more faded and spoiled dresses and no more odor. Eliminates excessive perspiration from any part of the body.

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And other "Live" Dealers in Toilet Articles.
INSIST ON ODORONO—THERE'S NOTHING "JUST AS GOOD."

Attacks on Dr. Harris Give Defense Good Day

The defense had what was probably its best day on Monday. Medical experts were on the witness stand the larger part of the day. The purpose of their testimony was to knock down, one after another, the sensational statements of Dr. H. F. Harris, secretary of the State Board of Health. All of the witnesses joined in ridiculing every important theory or conclusion that was reached by the distinguished chemist and physician.

Experts for Defense.

These are the medical experts called by the defense to combat the testimony of Dr. Harris:

Dr. Willis F. Westmoreland, first president of the Georgia State Board of Health, and president of the Atlanta College of Physicians and Surgeons.

Professor George Bachman, demonstrator in physiology at the Atlanta College of Physicians and Surgeons; formerly one of the faculty of the Jefferson Medical College, Philadelphia.

Dr. T. H. Hancock, a specialist in surgical practice.

Dr. J. C. Olmstead, a graduate of Columbia University, and a practitioner in Atlanta for 32 years.

Here is a summary of Dr. Harris' theories on the death of Mary Phagan and the consensus of the four medical experts' opinions in regard to the theories:

How Views Clashed.

Mary Phagan came to her death within half or three-quarters of an hour of the time she ate her meal of cabbage and wheat bread at home. The condition of the cabbage shows it had been in her stomach no longer than that when death stopped the digestive processes.

"No man in the world could examine those specimens of cabbage and tell either from their condition or from the conditions found in the stomach of the murdered girl nine days after death within hours of the time that elapsed between her meal and her death."

The wound on the back of the girl's head indicates that she was knocked unconscious and later strangled to death.

Called Reckless Conjecture.

"From the data at hand, it is absolutely impossible to tell that the wound on the head caused unconsciousness. It is only a rash and reckless conjecture."

Mary Phagan was the victim of criminal violence other than that superficially apparent.

"This is the most extraordinary surmise that could be imagined. As a matter of fact, he could not have told from the conditions he says were present that she was a victim of criminal violence, even if he had made the examination within a few hours after death, instead of nine days later."

Dr. Harris not only was buffeted about on account of his startling theories and conclusions, but because of his conduct in the case. Attorney Reuben Arnold asked Dr. Westmoreland what he would think of a physician or chemist who was called into a case like that of the Phagan murder; who made the examinations admittedly for the reason that he "liked the Solicitor"; who conducted all of his analyses and experiments in absolute secrecy, who had not even a collaborator to check up on him, and who saved none of the material for the use of chemists who might be engaged by the defense.

Solicitor Dorsey at once made objection to the question.

"I don't know that the question is admissible, but it ought to be," retorted Arnold. "We wish to show that Dr. Harris has violated all of the ethics of his profession, as well as the principles of honesty and decency and fairness. A man's life is at stake, your honor. His case should not be affected by one man's word who deliberately has destroyed all of the material upon which he says he bases his theories."

Dr. Westmoreland was permitted to answer. He said:

"It is the ethical rule that a chemist or physician either call in another expert or preserve the specimens of his case."

Solicitor Dorsey endeavored to show that Dr. Westmoreland might be influenced in his testimony by a breach of professional relations with Dr. Harris which occurred some time ago.

Attempts to Show Dislike.

"How is you feeling toward Dr. Harris?" he asked. "Is it kindly or unkindly?"

The witness replied that it was neither one nor the other.

Asked by Attorney Arnold to go into the matter to which the Solicitor referred, Dr. Westmoreland said that he had preferred charges of scientific dishonesty against Dr. Harris and that the charges had been found well grounded, but were not regarded sufficiently grave to warrant any action. He thereupon resigned from the State Board of Health, he said, leaving Dr. Harris in his position of secretary.

Joel Hunter, an expert public accountant, testified just before adjournment that it would have taken Leo Frank at least three hours to make up the financial sheet and balance his accounts on the day that Mary Phagan was murdered.

"That wouldn't have given him much time to go to the ball game, would it?" inquired Attorney Hooper.

It is the theory of the State that Frank was planning to go to the ball game Saturday afternoon and that he compiled practically all of the financial sheet Saturday forenoon. This is in opposition to the contention of the defense that Frank did all of the difficult mathematical work in the afternoon, something he could not have done had he just committed a brutal murder.

People's Cry for Justice Is Proof Sentiment Still Lives

By L. F. WOODRUFF.

There is as much sentiment in the world to-day as there was in 1861 or 1776 or 1492 or 1066 or any other date that may come to your recollection.

It's not fashionable to say so, but it's true. People to-day are too prone to accuse themselves and their neighbors of being worshippers of Mammon and declaring that the money-grubbing instinct has crushed out sentiment, patriotism and honesty.

But right now in Atlanta, there is a striking example of the goodness that is man's to-day, just as much as it has ever been.

It is the one bright spot in the hideous slaying of Mary Phagan and the terrors of the trial of Leo Frank.

More people are interested in the case probably than in any criminal action the South has ever known. They are thrilled by it, for they know that the officers of the law and the Government of the State are spending thousands of dollars to find the man guilty of her murder and punish him.

Had Mary Phagan been of a prominent house, had she been wealthy, had her family or friends been influential there would be no room for comment.

The cynic could say, "Oh, she was a rich girl, what chance would there be for a child of the masses?"

But the Phagan case gives this the lie.

Mary Phagan's family is not wealthy. It is not prominent. It is not influential.

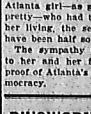
And still the great public has arisen with a demand that can be heard the length and breadth of the nation that her slayer be found and punished.

Had Mary Phagan been a princess of Peachtree instead of just a little Atlanta girl—as good as she was pretty—who had to struggle to make her living, the sentiment would not have been half so fervid.

The sympathy that has gone out to her and her family is a lasting proof of Atlanta's and the South's democracy.

RINGWORM SPREAD ALL OVER HAND

Itched So Scratched Till Bled, Screamed When Washed. Cuticura Soap and Ointment Cured.



R. F. D. No. 2, Box 67, Kilbuy, Ga.—"My son's ringworm began on the back of his hand. A fiery red spot came about as large as a dime and it would itch so badly he would scratch it till it bled. It began to spread all over the back of his hand. He would just scream every time I went to wash it. The nail came off on the middle finger.

"I used ——— and it got worse all the time. The trouble lasted two or three months, then I sent and got some Cuticura Soap and Ointment and began to use them. I would wash his hand with the Cuticura Soap and dry it good and apply the Cuticura Ointment. Relief was found in two or three days and the ringworm was cured in two weeks after using Cuticura Soap and Ointment." (Signed) Jose Parks, Jan. 4, 1913.

Not only are Cuticura Soap and Ointment most valuable in the treatment of eczema and other distressing eruptions of skin and scalp, but they are also most effective in the treatment of pimples, blackheads, red, rough skins, itching, scaly scalps, dandruff, dry, thin and falling hair, chapped hands and shapeless nails. A single cake of Cuticura Soap (25c.) and box of Cuticura Ointment (50c.) are often sufficient when all else has failed. Sold by druggists and dealers throughout the world. Liberal sample of each mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

Men who shave and shampoo with Cuticura Soap will find it best for skin and scalp.

"Poor Old Dad," Poem Touches Ham Lewis

WASHINGTON, Aug. 12.—Senator James Hamilton Lewis isn't the Lewis who is advocating a "Father's Day," although hundreds of correspondents think he is; but—

He has received a copy of a song from a man in Decatur, Ill., entitled "Poor Old Dad." The chorus ran:

No, it isn't meant to slight him,
But it looks a little sad;
All the bouquets made for Mother,
Not a bloom for Poor Old Dad.
"Poor Old Dad!" sighed Senator Lewis. "Now I know we must do something for him."

Davison-Paxon-Stokes Co.

475 New White Skirts in a Special Sale Tomorrow at - - - - 85c

They Are $1 to $2 Skirts

Brand-new, every one of them—they will go into stock for the first time—for this special sale Wednesday—and they are such good skirts that not many who see them will let pass the opportunity to buy two, three or a half dozen.

They are beautifully made in about six stylish models, some with side inserts or plaits, all button-trimmed. The material is good pique, in wide and medium welts.

All sizes too—so that even very stout women may share this economy. The sizes are—22 to 36 waist, and 36 to 44 length.

Regular $1.00 to $2.00 Skirts—for your selection Wednesday at 85c each.

Women's Apparel Section—Fourth Floor.

THE GEORGIAN'S MAGAZINE PAGE

The Manicure Lady

By WILLIAM F. KIRK.

"I SEE in the papers that the Prince of Wales got a call-down from King George for indorsing a note and getting stung for $2,500," said the Head Barber.

"That's nothing," said the Manicure Lady. "Lots of Princes has got stung for indorsing notes, and they wasn't all Princes of royal blood, either. I seen that same piece in the paper, but it was quite a while ago. Gee, George, I'll bet he felt awful when the King of England bawled him out. A King's anger must be terrible to behold.... That's what the historical novels tells, anyhow."

"I don't see how a King can be any madder at his son for monkeying with indorsed notes than any dad is with his boy," said the Head Barber. "A man can only get about so mad without getting apoplexy. A King can't call you down no harder than Paddy the Pig. There is only so many words in the English language, and a roughneck can say them as loud and as often as a King."

No King Madder.

"Yes, there is a good deal in that," agreed the Manicure Lady. "You remember when I lost my purse last week, George. I was just as mad as a human being could be when I seen I had lost it. No King could have been madder. I could have bit the head off anybody that said I misplaced it, until I found it and knew I had been careless. Oh, well, what is money, anyhow? Why should the King of England be sore at his son? The kid's grandfather was the same sort of a sport. He was more than a King, George, that Edward man. He was a regular guy. He knew more about the value of money than people thinks he did. He knew so much about the value of money that he knew it didn't have no great value at all. He had friends that was rich and friends that was poor, and he stuck to a friend that was poor just as surely as he would walk away from a pest that was rich.

"Wilfred says that he would have did the same as the young Prince of Wales did, only it wouldn't do the poor kid no good to indorse a $2,500 note. It makes an awful difference whose name is on the back of a piece of paper, George. It ain't the color of the ink or the penmanship or the pen it was wrote with. But I didn't have the heart to tell Wilfred that he would never be able to indorse a note, and I guess he don't care much for what little money he ever made, except to be happy with it. He wrote a poem yesterday and sent it to a magazine, and this is the copy of it:

"I do not care for boundless wealth
Or anything it brings to me,
Just so long as I have my good health
And every songbird sings to me.
The richest brewer in the land
Is only rich in gold and silver,
And I, who have friends on every hand,
Their love all gold I would not kill yor.'

People Made Happier.

"Wilfred said that he knew 'silver' and 'kill for' was a bum rhyme, but he explained to me that there wasn't no real rhyme for 'silver,' and I suppose the magazine editor will let it go at that. Anyhow, them sentiments of his is about the same as mine. I don't know how much money Edward the Seventh had when he died, and I don't care, but there is a lot of people in the world that was made happier when he was here, and he will be talked about as a regular man just as long as he is talked about as a good King. I am afraid his son ain't much like him, with all his court doings and pomp, but I am glad to know his grandson is a human being.

"Here, too," said the Head Barber. "I wish somebody would indorse a note for me. The landlord is barking like a hound."

"I Should Worry"

By NELL BRINKLEY

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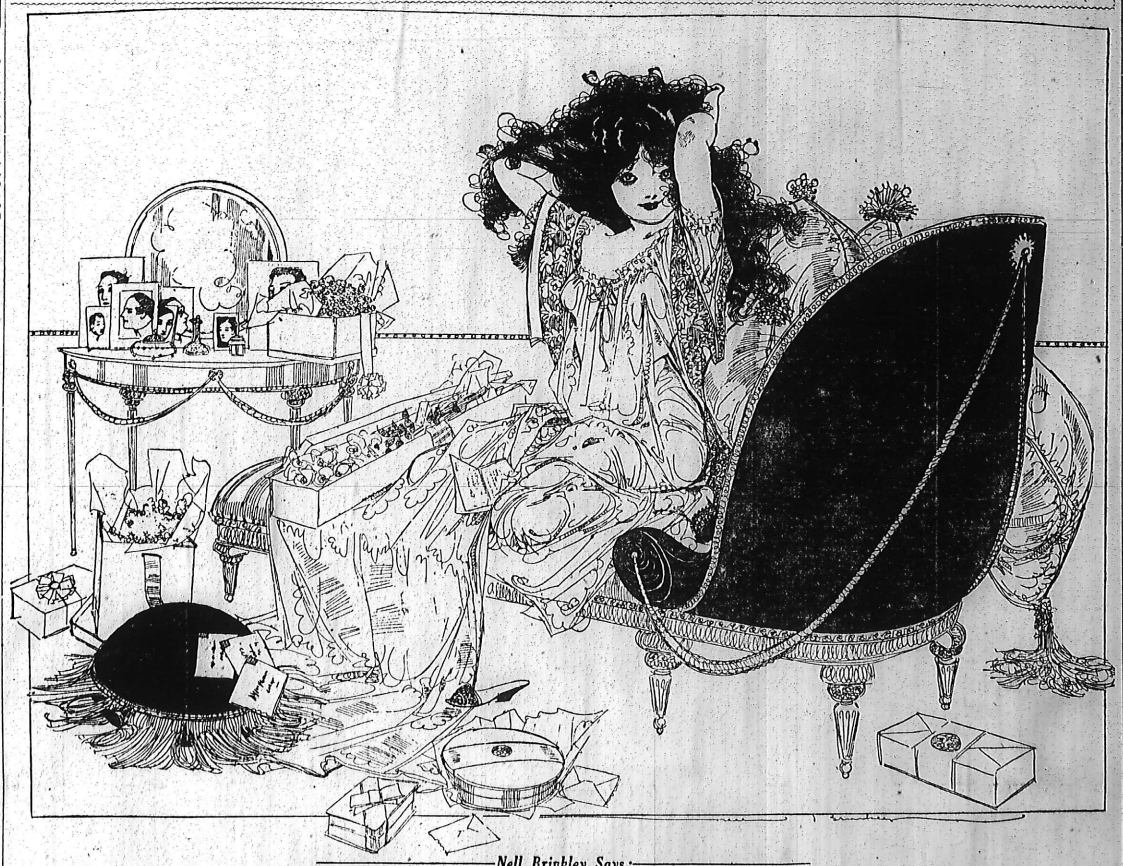

Nell Brinkley Says:

"MY begux are many! Back of the clutter of little bottles and ivory things, vials of orange scent from Arabia and Poudre de Riz from Paris, their pictures stand, worshipping every time I look at my pretty eyes in the glass. When I first stir under my silk-and-down coverlet I can hear the rustle of paper and I know that means my morning consignment of love-letters, so I turn over, bury my nose in the curve of my arm and dream a little longer! After my chocolate I gather my letters, my candy, gold-labelled and ribbon bound, my flowers in their tall and long boxes, and I rip them all open and revel. I solemnly absorb the praise in the missives. I tuck away bits of nectar-filled chocolates in my cheeks. I put my face down in the gloomy, dewy coolness of the fragrant flower nests. And then I shake out my hair, yawn a bit and smile, 'I should WORRY!'"

Daysey Mayme And Her Folks

By FRANCES L. GARSIDE.

THE great need of every home, according to the principles in it, is some one who can make the earning capacity of father could be doubled.

Daysey Mayme Appleton is a princess, and, like all princesses, she lets her subjects do the worrying. If things cost more, then father should earn more, and after carefully dusting a place on the carpet where her mother could have her daily fit on returning from market and finding further advances in prices, she felt that she had done her full duty.

All her life she had had to curl one hair to make it do the work of two, and the experience had made her an economist.

She felt the other day that she owed herself some new gown, and realized that the securing of it must prove a drain on her pocket.

So she put on her split skirt without a curtain underneath, proving that she applied economic principles in the smallest detail of her attire, and left the house.

Her destination was away downtown, and it was plain from the exterior of the little one-story building she entered that her errand was neither for ribbons nor chocolates.

Passing into an anteroom, she was detained for five minutes till an attendant gave word that she would be received. Dark red curtains hung between the doors connecting the rooms, and at the sound of a silvery, tinkling bell Daysey Mayme parted the curtains and entered.

Twenty minutes later she emerged, her cheeks pink with excitement, and her eyes glowing with happiness.

"There is nothing in this talk of the high cost of everything!" she said, smilingly, at dinner that night.

"I went downtown this afternoon and bought three lovers, two husbands, five beautiful children, a journey across the water, another across the land, two dark complexed friends, four rivals, one enemy, who will try to injure me, but who will be vanquished, and a noble millionaire, who will die soon and leave me his vast estates—all for Ten Cents!"

She had her fortune told!

The Last Hope.

Scene: Far out at sea; stateroom on board a huge transatlantic liner which is being tossed about like a cork in a tremendous sea.

The Bootlace King, a famous Yankee multi-millionaire (clinging desperately to the side of his bunk): "Steward! Steward!"

"Yes, sir."

"I understand this ship has watertight compartments?"

"Yes, sir."

"Then tell the captain I must have one immediately. I don't care what it costs!"

Observant.

The teacher had been telling the class about the rhinoceros family.

"Now, name some things," said she, "that are very dangerous to get near to, and that have horns."

"Motor cars!" replied little Jennie.

SPLENDID HOT WEATHER FOOD.

You should eat meat very sparingly during hot weather. Meat heats the body. At the same time you must eat nutritious food.

Try Faust Spaghetti. It is a nutritious, non-heating food. Made from Durum Wheat, the cereal that overflows in gluten, a muscle, bone and flesh builder. A 10c package of Faust's Spaghetti contains as much nutrition as 4 lbs. of beef—ask your doctor.

Write for free recipe book and find out how many different ways Faust Spaghetti can be served to tease the palate. Sold in 5c and 10c packages.

MAULL BROS.
St. Louis, Mo.

HOW MRS. BROWN SUFFERED

During Change of Life—How Lydia E. Pinkham's Vegetable Compound Made Her a Well Woman.

IOLA, KANS.—"During the Change of Life I was sick for two years. Before I took your medicine I could not bear the weight of my clothes and was bloated very badly. I doctored with three doctors but they did me no good. They said nature must have its way. My sister advised me to take Lydia E. Pinkham's Vegetable Compound and I purchased a bottle. Before it was gone the bloating left me and I was not so sore. I continued taking it until I had taken twelve bottles. Now I am strong and can do my housework and can do all my work, even the washing. Your medicine is worth its weight in gold. I cannot praise it enough. I more women would take your medicine there would be more healthy women. You may use this letter for the good of others."—Mrs. D. H. Brown, 809 N. Walnut St., Iola, Kansas.

"Change of Life is one of the most critical periods of a woman's existence. Women everywhere should remember that there is no other remedy known to so successfully carry women through this trying period as Lydia E. Pinkham's Vegetable Compound.

"If you want special advice write to Lydia E. Pinkham Medicine Co. (Confidential), Lynn, Mass. Your letter will be opened, read and answered by a woman and held in strict confidence."

Snap-Shots

By LILIAN LAUFERTY.

A MODERN LOVE SONG.

To you, whoever you are,
Wherever you may be,
I send this message—near or far—
I'm the not-impossible she.

I wish you'd make an effort,
Oh, Mister Affinity,
And not just sit a-waiting
For the not-impossible nie.

I'm sure I've given you a chance,
Whoever you may be,
To realize this simple fact,
I'm the wholly possible she.

* * *

Who knows, and knows he knows,
Is wise. Cleave thou to him,
And nevermore forsake him.
Who knows and knows not that he knows—he sleeps;
Go thou to him and wake him.

"Who knoweth not and knows he knoweth not is a child,
Go thou to him and teach him.
Who knows not and knows not that he knoweth not is a fool,
No light shall ever reach him."

* * *

Says Marcus Aurelius:
"A man must stand erect and not be held erect by circumstance.
"Everything is only for a day, with that which remembers and that which is remembered.
"The present is the only thing of which a man can be deprived.
"Everything which is in any way beautiful is beautiful in itself—and neither worse nor better is a thing made by being praised."

* * *

Oh, the world has its gloom, and 'tis gloom to spare;
'Twill make you weary and sad;
But there's plenty of gleam, as is only fair,
To make you cheery and glad.

Now the world may seem dark as the shrouding grave,
All clad in a pall of black,
But somewhere 'tis day—so just walk toward the light,
And the shadows will fall at your back.

* * *

"The happiest women—like the happiest nations—have no history."
—GEORGE ELIOT.

BEHIND CLOSED DOORS

By ANNA KATHARINE GREEN

One of the Greatest Mystery Stories Ever Written

(Copyright, 1913, by Anna Katharine Green.)

TO-DAY'S INSTALLMENT.

"I see; I see, and you have failed also to follow the trail of the doctor's wanderings?"

"He left none; the only man who can tell us anything about his movements at that time persists in denying all knowledge of them."

"Is there a Mr. Monroe, of Seventy-second street?"

"Yes, and he did receive a prescription that night by the hand of Dr. Molesworth's colored driver. But it was not as important a one as the doctor would make out. He would not have suffered if he had not received it, till the next day."

"Then you wish the inquest to be held immediately?"

"As soon as your convenience will permit."

"Well, well, we will have the inquest." Then, as Mr. Gryce rose to go, "How about that spot of paint, Gryce? No clew in that, either?"

Mr. Gryce sat down again. "There ought to be," he acknowledged. "There is a mark on the lining of the phaeton, but it is very slight, while that on her dress is very distinct, showing that the paint came off from her dress upon the phaeton. She had consequently been leaning against a freshly painted surface somewhere, and as the paint was of a peculiar shade, I thought I should be able to trace it. But"—he shook his head—"like all the rest it proved a blind trail."

He was going for the second time when the Coroner stopped him.

"Have you thought that if Dr. Molesworth's story is true and he fitted the dying girl from a stoop into his phaeton he would naturally have a smudge of paint on his sleeve?"

"Don't humiliate me! It is there!"

The Inquest.

The next day the inquest was held, and the proceedings were voluminously published. Witnesses from all quarters were examined and the matter was relentlessly sifted. But no more was elicited from the various parties on oath than they had been willing to volunteer at the solicitations of the detective; nor, though the utmost discretion was displayed in the examination of the doctor, could his testimony be shaken or his assertions disproved.

Some of his answers merit recording. To the question as to when and where he became engaged to Miss Farley, he replied, with great dignity, but with no apparent reserve:

"Miss Farley never said she would marry me until the morning of the day she died. Then I received a letter from her saying that she would marry me that day at the C—— Hotel. I had received manifestations of affection from her before, but never any promise."

"You had professed attachment for her, then, some time previous to this event?"

"I first offered myself to her beside her mother's deathbed."

There was feeling in his voice and there was reserve, and the result upon the minds of those present was something like awe. No one blamed the Coroner for the respect with which he next inquired whether the letter received from Miss Farley was still in Dr. Molesworth's possession.

"It is not," was the reply. "I invariably destroyed every line I received from her. It is a custom of mine to preserve no letters."

"Then you were but following out your usual habit when you burned the note which Miss Farley left behind her at the hotel?"

"If I may say so, yes."

"You have no objection to telling us what the note contained?"

"None whatever if I could. But it was a string of unmeaning phrases of which only one sentence was clear."

"And that was?"

"I want my friends about me; it isn't respectable." Yet she was the one who proposed the marriage," volunteered the doctor, "and at the interview we had in the afternoon no demur was made by her, either as regarded the wedding itself or the manner in which I proposed to have it conducted."

"Will you give us the details of that interview?"

"As nearly as I can, sir. It was such a one as you would expect from a delicate-minded woman who had taken a very important step and was not quite sure how it would be received by her lover. At first she seemed only anxious to learn how I felt about the matter, and when I could not truthfully say she had chosen a very auspicious time for her proposal, she burst into tears and then become incoherent. I saw she was not well, and at once began to comfort her. She thereupon grew calmer and listened with attention while I told her of the arrangements which had suggested themselves to me, not making, as I have said, any objection to them either then or at any time before I left."

"And what was the manner of your parting?"

"It was affectionate on my part, but I am free to say there was some constraint on hers. With all my efforts to the contrary I had wounded her susceptibilities, sharpened as they were by incipient illness, and she was too much of a woman not to show it. But I never expected more than a little unpleasantness and was as much shocked as anybody when I returned and found her gone."

"One more question in this connection, Dr. Molesworth. The clerk testifies that the hour you sent for your wedding was nine, yet you came back with the clergyman as early as a quarter after eight. How was that?"

"I was anxious, sir. The more I thought of it the more I was convinced that Miss Farley was on the point of a serious illness. I went early on her account.

All Satisfactory.

This was all very satisfactory, too satisfactory for Mr. Gryce. Telegraphing by a gesture to the Coroner that he had a suggestion to make, he sent him a line or two written on the back of a reporter's notebook, which upon reading the Coroner remarked to the witness:

"You were alone with Miss Farley in room 153 of the C—— Hotel when this interview occurred of which you speak."

"Most certainly, sir."

"A room containing an alcove shut off by curtains?"

"I believe there were curtains there, but I did not look to see what they shut off."

"How then do you know that you two were alone?"

It was but a lightning's flash, that look of irrepressible shock and dismay which crossed Dr. Molesworth's face at this intimation. But the Coroner saw it as Mr. Gryce had seen it on a former important occasion, and he felt as the detective had felt then, that it outweighed all the witness' words and his most plausible explanations.

"I took it for granted we were," he was saying the next moment in his most even tones. "If you have a witness to the contrary, let her be produced; she may assist me in remembering just what did pass between Miss Farley and myself."

It was a bold stroke and it succeeded. They had no witness and he soon saw it, and the color which had slightly left his lips came back and his bearing became almost disdainful.

The Coroner, who was still following Mr. Gryce's suggestions, regarded him with unabated respect.

"You say her," he smiled. "Why not him?"

"Because no man would stoop to listen."

"Dr. Molesworth, during your acquaintance with Miss Farley have you ever had reason to suppose she was receiving addresses from any other gentleman than yourself?"

It was an unexpected attack and the doctor paused a moment before replying. Then he answered distinctly:

"No."

This closed the proceedings of the day and Dr. Molesworth's testimony. Clear, precise, and plausible had been all his replies, and had it not been for a nameless something, hard to describe, he would have gained credit from the officers who conducted his examination, as well as from the public who listened to it.

To Be Continued To-morrow.

Every Woman

is interested and should know about the wonderful Marvel Whirling Spray Douche

Ask your druggist for it. If he cannot supply the MARVEL, accept no other, but send stamp for book.

Marvel Co., 44 E. 23d St., N.Y.

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Round trip, six days. Special trains, sleepers and coaches leave 6 p.m. Make reservations early. SEABOARD.

How Fame Comes

Scribbler—It took me nearly ten years to learn that I couldn't write poetry.

Friend—Gave it up then, did you?

Scribbler—Oh, no. By that time I had a reputation.

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THE ATLANTA GEORGIAN

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VOL. XII. NO. 8. ATLANTA, GA., TUESDAY, AUGUST 12, 1913. 2 CENTS. PAY NO MORE

FINAL★★

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EXTRADITION OF ZACHRY IS DENIED

Executive's Action Comes as the Supreme Court Reverses Ruling Favoring Father.

The Supreme Court Tuesday reversed the decision of Judge Hammond, of Augusta, awarding the two Zachry children to the father, thereby further complicating the sensational case in which requisition papers by Governor Cole Blease for Zachry were refused by Governor Slaton Tuesday morning.

According to the ruling of the Supreme Court, the decision awarding the children to the father is reversen and remanded to Judge Hammond's court for further hearing. The ruling further specifies that Judge Hammond may exercise his discretion in awarding the custody of the children, which is contrary to the opinion rendered by Judge Hammond, who held previously that he was forced to award the children to Zachry because of a previous judgment.

The effect of the ruling will be to put the whole matter back in the Augusta courts, with the possibility that Mrs. Zachry will be awarded the custody of the two children.

Governor Slaton based his refusal on the fact that no State law had been violated by Zachry in South Carolina and that the whole case was against the defendant grew out of the desire of Mrs. Zachry to obtain the custody of the two children.

One of the most spectacular fights for the extradition of a citizen ever recorded in Georgia occurred in the Governor's offices Monday. Charges and counter charges were hurled in turn by counsel for the defense and for the State of South Carolina, and at one time a personal mix-up between Attorney Dunbar, representing Mrs. Zachry, and Attorney Phinizy, representing Mr. Zachry, who charged that the case had been prosecuted with all the "vindictiveness" that Mr. Dunbar could summon, was narrowly averted by the Governor.

Slaton Draws Line.

"You may wax just as enthusiastic as you like," said Governor Slaton to Mr. Phinizy, "but you can't say those things. That will not do here."

The hearing was as unique as it was spectacular. With the Governor sitting as both court and jury, attorneys for the defense and plaintiffs were allowed to argue their cases to their hearts' content with frequent interruptions by the Governor, who kept close tab on every bit of evidence offered.

In addition to the three attorneys for Zachry, Cohen and Phinizy, of Augusta, and West, of Thompson, E. D. Clary, Mayor of Harlem, the defendant's home town, testified in behalf of Zachry. Attorneys Rembert, of Columbia, S. C., and Dunbar, of Augusta, represented the State of South Carolina.

Mayor Clary, of Harlem, created a sensation when he testified that he had on one occasion pulled Mrs. Zachry and her mother off Zachry following an attack. Mrs. Zachry, he declared further, had said in his presence that if she did not get her children she would have to kill her husband.

Kidnaping Charge Irrelevant.

The climax of the hearing was reached, however, when the attorneys for Governor Blease virtually admitted to Governor Slaton that the charge of kidnaping, as incorporated in the requisition papers, was not relevant and that practically all that Mrs. Zachry wanted was the custody of the two children.

In substantiation of the latter statement Governor Slaton referred to a letter which he himself had received from Mrs. Zachry, in which, he declared, it seemed that all that Mrs. Zachry wanted was the children.

This testimony of the Governor and the startling admission of Attorney Lambert, representing Governor Blease, broke down the whole argument of the plaintiff and really marked the turning point in the hearing.

LATEST NEWS

MONTGOMERY, Aug. 12.—Governor Emmett O'Neal this afternoon appointed Congressman Henry D. Clayton to succeed the late Senator Joseph F. Johnston. Mr. Clayton has received his commission and will proceed immediately to Washin. on to take his seat in the Senate.

LONDON, Aug. 12.—The shadow of another war in the Balkans hangs over Europe. Sir Edward Grey, British Foreign Minister, announced in the House of Commons to-day that if Turkey refuses to give up Adrianople at the insistence of Bulgaria, the powers will not be able to divert the consequences, "no matter what their character."

WASHINGTON, April 12.—The direct overture of the United States to the Huerta administration—the tender of American aid in the effort to restore peace in Mexico—is expected to be transmitted by Envoy Lind to the Mexican national palace within a few hours.

MILWAUKEE, WIS., Aug. 12.—There will be no formal organization of a National Council of Catholic Women at the convention of the American Federation of Catholics this year. This was practically determined this forenoon at the preliminary meeting of the women called to plan the perfecting of such a council.

LOUISVILLE, KY., Aug. 12.—The Ohio River is at the lowest stage in years as a result of the drouth, and coal shipments have suspended. Three million bushels of coal due for shipment south are tied up at Pittsburg.

SAN FRANCISCO, Aug. 12.—Eleanor Fay, who says Louis R. Glavis, of Ballinger case fame, is her fiance, tried to end her life by swallowing carbolic acid while on a ferry boat plying the bay. She asserted she was to wed Glavis soon.

Bill Providing Home For Wayward Girls Is Passed in House

The bill introduced in the House by Representatives Jones of Coweta and Mills of Butts County providing for a home for wayward girls to be called the "Georgia Industrial Home for Girls," carrying with it an appropriation of $30,000, was passed Tuesday after much discussion, by a vote of 115 to 46.

Twenty thousand dollars will be used as a building fund and the remaining $10,000 will be used as a maintenance fund. The bill met with bitter opposition by Fullbright of Burke County, who declared it was of no use, as the Senate would not act on the measure. The Speaker of the House informed the gentleman from Burke that he had received word from the President of the Senate that the Senate would consider it.

Shuptrine of Chatham made a motion to have the bill tabled. The motion was lost, 106 to 54. The bill also provides for a board of managers consisting of five members, two of which shall be women. Minor amendments to the bill were considered.

I. T. U. Officers May Serve Indefinitely

NASHVILLE, TENN., Aug. 12.—President Lynch, of the International Typographical Union, won another victory at the annual convention of the order to-day when the delegates sustained by an overwhelming vote the recommendation of the committee on laws that reported unfavorably on the proposition to make officers of the International Union ineligible to serve for more than two years. This proposition by Delegate Beadle, of Tacoma, Wash. was aimed particularly at President Lynch.

Car Hits House and Jars Man From Bed

MUNCIE, IND., Aug. 12.—Albert E. Needham, alone in his big three-story residence, was thrown from his bed and the house was pushed from its foundation by the impact of a heavy interurban car against one corner of the structure to-day. Three men were injured.

The car was being taken to the barn when it jumped the track on a curve, swung across the sidewalk and crashed into the house.

SMITH MEN WIN SECOND GAME

Crackers Swat Ball to All Corners of Lot and Barons Suffer Another Defeat.

Score by innings:		R.	H.	E.
ATLANTA	150 032 100	12	14	0
BIRMINGHAM	000 012 000—	3	10	2

CRACKERS—	R.	H.	O.	A.	E.
Agler, 1b	2	1	10	1	0
Long, lf	2	1	2	0	0
Welchonce, cf	1	3	2	0	0
Smith, 2b	0	1	1	6	0
Bisland, ss	2	3	2	3	0
Holland, 3b	2	3	1	0	0
Holtz, rf	1	1	1	0	0
Chapman, c	1	0	7	1	0
Dent, p	1	1	1	2	0
Totals	12	14	27	13	0

BARONS—	R.	H.	O.	A.	E.
Marcan, 2b	0	0	3	3	1
Messenger, rf	0	0	1	0	1
McBride, lf	1	1	3	0	0
Kniseley, cf	1	2	3	0	0
Mayer, c	1	3	1	0	0
McGilvray, 1b	0	1	11	2	0
Ellam, ss	0	0	3	6	0
Carroll, 3b	0	3	1	0	0
Hardgrove, p	0	0	0	0	0
Gregory, p	0	0	1	1	0
Totals	3	10	27	12	2

Summary: Two-base hits—Smith, Long Bisland. Three-base hits—Holtz, Agler. Double play—McGilvray to Ellam to McGilvray. Struck out—By Dent, 4. Bases on balls—Off Hardgrove, 2; off Evans, 2; off Dent, 1. Sacrifice hits—Smith, Welchonce, McGilvray. Hit by pitched ball—Agler. Umpires—Breitenstein and Hart.

RICKWOOD PARK, BIRMINGHAM, ALA., Aug. 12.—The Crackers had a merry swatfest at the expense of the Barons' pitchers and won the second game of their series 12 to 3.

Hardgrove, Gregory and Evans were on the mound for Molesworth's men All were hit hard. On the other hand Dent proved a stumbling block for the home boys.

Harry Holland's batting and the visitors' fielding were the features.

FIRST INNING.

Agler out, Ellam to McGilvray. Long out over the same route. Welchonce beat out a bunt. Smith doubled to right scoring Welchonce. Bisland popped to McGilvray. TWO HITS, ONE RUN.

Marcan walked and was out stealing, Chapman to Smith. Messenger flied to Welchonce. McBride popped to Holland. NO HITS, NO RUNS.

SECOND INNING.

Holland singled to left. Holtz popped to McGilvray. Chapman walked. Dent singled to right scoring Holland, Chapman went to third. Agler hit by pitched ball. Long walked, forcing in Chapman. Welchonce singled to left, scoring Dent and Agler. Smith flied to McBride. Long scored after the catch. Bisland out, Marcan to McGilvray. THREE HITS, FIVE RUNS.

Kniseley popped to Bisland. Mayer flied to Long. McGilvray out, Smith to Agler. NO HITS, NO RUNS.

THIRD INNING.

Gregory relieved Hardgrove. Holland singled to center. Holtz hit into a double play, McGilvray to Ellam to McGilvray. Chapman out, Ellam to McGilvray. ONE HIT, NO RUNS.

Ellam out, Bisland to Agler. Carroll singled to center. Gregory out, Smith to Agler. Marcan out, Agler to Dent. ONE HIT, NO RUNS.

FOURTH INNING.

Dent popped to Marcan. Agler popped to Carroll. Long out, Marcan to McGilvray. NO HITS, NO RUNS.

Messenger popped to Chapman. McBride flied to Holtz. Kniseley fanned. NO HITS, NO RUNS.

FIFTH INNING.

Welchonce flied to Kniseley. Smith out, Ellam to McGilvray. Bisland singled to center. Holland singled to center. Holtz tripled to right, scoring Bisland and Holland. Holtz scored when Messenger threw wild to third. Chapman out, Gregory to McGilvray. THREE HITS, THREE RUNS.

Mayer singled to right. McGilvray singled to right. Ellam fanned. Carroll singled to center scoring Mayer. Gregory fanned. Marcan out, Dent to Agler. THREE HITS, ONE RUN.

SIXTH INNING.

Dent flied to McBride. Agler tripled to center. Long doubled to left scoring Agler. Welchonce filed to Kniseley and Long went to third. Smith grounded to Ellam who threw wild to first, Long scored, but McGilvray recovered the ball and threw Smith out to Marcan. TWO HITS, TWO RUNS.

Messenger out, Bisland to Agler. McBride singled to center. Kniseley singled to left. Mayer singled to right scoring McBride. McGilvray flied to Long. Kniseley scored after the catch. Ellam fanned. THREE HITS, TWO RUNS.

SEVENTH INNING.

Evans now pitching for Birmingham. Bisland doubled to left. Holland walked. Holtz popped to Evans. Chapman forced Holland, Ellam to Marcan, on the attempted double play McGilvray missed the throw and Bisland scored. Dent walked. Agler lined to Ellam. ONE HIT, ONE RUN.

Carroll singled to center. Evans flied to Welchonce. Marcan popped to Chapman. Messenger forced Carroll, Smith to Bisland.

EIGHTH INNING.

Long fanned. Welchonce singled over second. Smith flied to Messenger. Bisland singled to center. Holland, filling the bases. Holtz grounded to second, forcing Hollang. TWO HITS, NO RUNS.

McBride out, Smith to Agler. Kniseley singled to center. Mayer singled to left. McGilvray out, Dent to Agler, Ellam out, Smith to Agler. TWO HITS, NO RUNS.

NINTH INNING.

Chapman flied to McBride. Dent flied to Kniseley. Agler out, Ellam to McGilvray. NO HITS, NO RUNS.

Carroll out, Bisland to Agler. Evans out, Smith to Agler. Marcan out, Holland to Agler. NO HITS, NO RUNS.

RACING RESULTS

AT SARATOGA.

FIRST—5¼ furlongs: Pennant 102 (Wolfe), 4-1, 8-5, 4-5, won; Stromboli 107 (McTaggart), 7-10, 1-3, out, second; Surprising 110 (Davies), 4-1, even, 2-5, third. Time 1:05 4-5. Also ran: Pan American, Rost, Decoy, Florin, Trakemark, May Dora.

SECOND—Mile and one-eighth: Warhorn 108 (McTaggart), 4-5, 1-3, out, won; Fred Mulholland 105 (Butwell), even, out, second; Inspector Lestrade 105 (Rowley), 40-1, 8-1, 2-1, third. Time 1:52 4-5. Also ran: Creme de Menthe, Breaker Boy.

THIRD—Seven furlongs: Ella Bryson 106 (McTaggart), 3-1, even, 2-5, won; Genesta 102 (Wolf), 9-5, 7-10, 1-4, second; Palanquin 112 (Karrick), 5-2, 4-5, 2-5, third. Time, 1:25 4-5. Also ran: Judge Walser, Grover Hughes, Brookfield.

FOURTH—Mile: Reybourn 92 (McTaggart), 8, 7-5, out, won; Ten Point 122 (Loftus), 2-5, out, second; Night Stick 103 (Ambrose), 5, 4-5, out, third. Tim,e 1:37. Also ran: Cliff Edge.

FIFTH—Fiv and half furlongs: Susan B. 1 07(Martin), 3, even, 1-2, won; Lily Orme 119 (Troxler), 15, 6, 3, second; El Mahdi 101 (McTaggart), 15, 6, 3, third. Time 1:07 3-5. Also ran: Flask, Perth Rock, Unfurl, Mordecai, Heart Beat, Rosa Mundi, Polly H., Eustace, J. Nolan.

SIXTH—Six furlongs: Sylvan 107 (Ambrose), 7-5, 1-2, 1-4, won; Bryn Limah 112 (Burns), 10, 4, 2, second; Bruin Belle 104 (Benschotten), 15, 6, 3, third. Time, 1:13 3-5. Also ran: Mohawk Girl, Grey Planet, Spotlight, Euterpe, Miss Brush, Bristles, Lacliff, Ann Tilley, Carroll Reid, Noble Grand, Prospect, Promoter.

AT FORT ERIE.

FIRST—5 furlongs: Patience 104 (Montour), 11-5, even, 1-2, won; Manners 112 (Obert), 5-1, 2-1, even, second; Zodiac 100 (Callahan), 10-1, 4-1, 2-1, third. Time 1:03 2-5. Also ran: Lady Isle, Woodrow, Behest, Highpriest, Buzz Around, Indolence, Grandness.

SECOND — Mile: Crystlawoga 100 (Obert), 9-1, 3-1, even, won; Capersauce 108 (Small), 18-5, 7-5, out, second; Rockspring 108 (Buxton), 18-5 4-5, out, third. Time 1:43. Also ran: Havrock, Ondramon.

THIRD—Distance not given: Ennis Killen 165 (Bowser), 4-5, 1-4, out, won; Guncotton 154 (Dupee), 3, 7-10, out, second; Luckola 147 (Cassidy), 9-2, 7-5, out, third. Time, 3:57 3-5. Also ran: Melos.

FOURTH—Six furlongs: Marjorie A. 106 (Deronde), 7-5, 1-2, out, won; The Widow Moon 102 (Kederis), 3, 2, out, second; Upright 105 (Smith), 5-2, 3-2, 3-5, third. Time 1:14. Also ran: Mediator, Font.

FIFTH—Mile and sixteenth: Tactics 109 (Fairbrother), 3, 6-5, 1-2, won; Husky Lad 110 (Schuttinger), 2, 4-5, 2-5, second; Miss Jonah 105 (Buxton), 8, 3, even, third. Time, 1:46 4-5. Also ran: Miss Joe, Tillies Nightmare, Blanche Francis, Adolante.

SIXTH—Five and one-half furlongs: Chemulpo 100 (Merchant), 9, 3, 9-5, won; Chrysels 100 (Johnson), 10, 4, 2, second; Allaneen 100 (Malone), 60, 20, 10, third. Time, 1:09 4-5. Also ran: Pop Gun, Black Chief, Black River, Raquette, Rockbar, Little Jane.

SEVENTH—Mile and 70 yards: Cogs 110 (Watts), 13-5, even, 7-20, won; Chilton King 105 (Kederis), 2, 4-5, 1-3, second; Counterpart 104 (Buxton), 5, 2, 7-10, third. Time, 1:47. Also ran: Kinmundy, Cordie F., Marie T., Schaller, Good Day.

ENTRIES ON PAGE 11.

Postal Receipts Here Top 2 Larger Cities

Figures made public by Postmaster Hugh McKee show that the receipts for the last fiscal year at the Atlanta postoffice were greater than the offices at Louisville and New Orleans, both larger cities than Atlanta.

The receipts at the local office were $1,328,011.14, at New Orleans $1,182,761.72 and at Louisville $1,163,598.18.

45,000 in Knights Templar Pageant

DENVER, Aug. 12.—Forty-five thousand Knights Templars, resplendent in uniforms, marched through the streets of Denver to-day, formally opening the thirty-second triennial conclave of the order. Scores of bands of music, interspersed throughout the line, played Templar hymns.

It was the most brilliant, solemn spectacle ever witnessed in Denver. The parade was separated into fifteen division, with 3,000 men in each division.

CAROLINA LEAGUE.

FIRST GAME.

Score:		R.	H.	E.
Charlotte	040 003 001—	8	17	2
Raleigh	000 001 000—	1	8	1

Jarman and Lidgate; Fahrer and McPherson. Umpire, McBride.

Portsmouth-Newport News, rain.

Richmond Petersburg, rain.

SECOND GAME.

Score:		R.	H.	E.
Charlotte	010 000 4—	5	8	0
Raleigh	100 000 0—	1	4	0

Adams and Lidgater Bausewine and McPherson. Umpire, McBride.

Score:		R.	H.	E.
Durham	000 023 000—	5	11	3
Asheville	001 000 001—	2	9	1

McManus and Ulrich; Miller and Milliman. Umpire, Miller.

SOUTHERN LEAGUE

AT MOBILE

					R.	H.	E.
MONTGOMERY	200	010	000	-	3	11	2
MOBILE	200	002	10X	-	5	12	2

Sparks and Gribbens; Robertson and Schmidt. Umpires, Rudderham and Fifield.

AT NASHVILLE—

CHATTANOOGA	...	...	100	-	.	.	.
NASHVILLE	...	...	002	-	.	.	.

Grimes and Graham; Fleharty and Gibson. Umpires, Kerin and Wright. Game called on account of rain.

AT MONTGOMERY—

MEMPHIS	000	000	000	-	0	4	2
NEW ORLEANS	000	000	001	-	1	2	1

Kissinger and Seabough; Glavinich and Yantz. Umpires, Pfenninger and Stockdale.

AMERICAN LEAGUE

AT PHILADELPHIA—

CHICAGO	010	000	210	-	4	6	3
PHILADELPHIA	000	000	110	-	2	7	1

Scott and Kuhn; Brown, Bender and Lapp and Schang. Umpires, Connolly and Ferguson.

AT NEW YORK—

ST. LOUIS	100	204	000	-	7	14	3
NEW YORK	100	000	010	-	2	7	1

Mitchell, Leverenz and Alexander; Schulz, Fisher, McConnell and Sweeney. Umpires, O'Loughlin and Sheridan.

Cleveland-Washington, no game; rain.

Other games not scheduled.

NATIONAL LEAGUE

AT PITTSBURG—

CINCINNATI	200	000	000	-	2	10	0
PITTSBURG	400	100	00X	-	5	13	0

Brown, Packard and Clarke; McQuillen, Cooper and Gibson. Umpires, Brennan and Eason.

AT BROOKLYN—

NEW YORK	100 003 000 02	-	6	8	4
BROOKLYN	201 100 000 01	-	5	7	1

Demaree, Fromme, Mathewson and McLean; Walker, Ragon and Fischer. Umpires, O'Day and Quigley.

FIRST GAME.

AT BOSTON—

CHICAGO	100	200	000	-	3	5	3
BOSTON	000	034	00X	-	7	10	4

Cheney, Moore and Archer and Bresnahan; Dickson, Perdue and Rariden. Umpires, Klem and Orth.

SECOND GAME.

CHICAGO	100	020	000	-	3	6	6
BOSTON	112	300	20X	-	9	13	0

Stack, Lavender and Bresnahan; Hess and Whaling. Umpires, Klem and Orth.

Other games not scheduled.

SOUTH ATLANTIC LEAGUE.

AT CHARLESTON—

MACON—	001	000	030	-	4	11	1
CHARLESTON—	000	000	101	-	2	7	2

Smith and Berger; Winchell and Menefee. Umpire, Meran.

AT JACKSONVILLE—

SAVANNAH—	010	000	030	-	4	8	2
JACKSONVILLE—	000	000	000	-	0	5	1

Robertson and Geibel; Burmeister and Krebs. Umpire, Barr.

AT COLUMBUS—

ALBANY—	205	001	002	-	10	10	0
COLUMBUS—	000	000	000	-	0	5	5

Luhrson and Wells; Baker and Thompson. Umpires, Leary and Pender.

EMPIRE LEAGUE.

AT WAYCROSS—

BRUNSWICK—	100	000	001	-	2	8	2
WAYCROSS—	000	100	52X	-	8	14	1

Faircloth and Coveney; Hartner and Pierre. Umpire, Derrick.

AT AMERICUS—

CORDELE—	000	000	001	-	1	6	2
AMERICUS—	200	010	10X	-	4	9	2

Hall and Bowdon; Dacy and Manchester. Umpire, Gentle.

AT THOMASVILLE—

VALDOSTA—	000	000	000	-	0	4	1
THOMASVILLE—	101	210	00X	-	5	8	0

Zellers and Wise; Day and Dudley.

INTERNATIONAL LEAGUE.

Score:		R.	H.	E.
Toronto— 000 000 000 000 000 000 00—		0	8	0
Jersey City— 004 000 000 000 000 000 00—		0	7	1

Hearne and Graham; Thompson, Brandon and Blair. Umpires, Hayes and Carpenter.

Called on account of darkness.

FIRST GAME.

Montreal-Baltimore; no game, wet grounds.

FIRST GAME.

Score:		R.	H.	E.
Rochester	000 100 000—	1	8	1
Newark	000 200 00x—	2	5	1

Keefe and Jackiltsch; Barger and Higgins. Umpires, Mullen and Kelly.

Second game, Score.		R.	H.	E.
Rochester	002000 100—	3	7	1
Newark	000 010 010—	2	6	1

Hughes and Jackiltsch; Bell, Schadt and McCarty. Umpires, Mullen and Kelly.

SECOND GAME.

Montreal-Baltimore; no game, wet grounds.,

Score:		H.	H.	E.
Buffalo	011 302 000—	7	9	4
Providence	200 202 20x—	8	12	3

Fdill, Mattison and Gowdy; Stine and Jonslow. Umpires, Owen and Nallin.

THE WEATHER.

Forecast for Atlanta and Georgia—Fair Tuesday and Wednesday.

AMERICAN ASSOCIATION.

FIRST GAME.

Milwaukee-Louisville, no game, wet grounds.

FIRST GAME.

Score:		R.	H.	E.
St. Paul	013 000 010—	5	12	4
Indianapolis	100 000 000—	1	4	3

Walker and James; Burk, Norton and Casey. Umpires, Chill and Irwin.

Score:		R.	H.	E.
Kansas City	000 000 101—	2	4	2
Toledo	210 100 000—	4	7	0

Rhoades and Moore; Collomore and DeVought. Umpires, Handiboe and Johnstone.

SECOND GAME.

Score:		R.	H.	E.
Milwaukee	020 002 001—	5	8	0
Louisville	200 000 000—	2	5	2

Hoolik, Brown and Hughes; Toney and Severoid and Clemens. Umpire, Murray and Connally.

Score:		H.	H.	E.
Minneapolis	000 320 001—	6	8	0
Columbus	000 000 000—	0	5	2

Comstock and Owens; Cole and Murphy. Westervelt and O'Brien.

FEDERAL LEAGUE.

Score:		R.	H.	E.
Indianapolis	000 000 040—	4	7	0
Cleveland	000 000 000—	0	5	2

Link and Jester; Wilson and Kilenow.

Score:		R.	H.	E.
Chicago	000 001 001—	2	6	2
Pittsburg	001 016 20x—	10	10	0

Ashenfelder and Goldchrist; Ramsey and Watson. Umpires, VanSickle and Sullivan.

St. Louis	220 100 000 3—	8	10	3
Kansas City	001 040 000 1—	6	10	7

King and O'Neil; Sanford and Hicks. ....Brown and cMK. 1HSSKlerISS

FATHER-IN-LAW SAYS FAMILY DID NOT TALK OF CRIME AT FACTORY

Here are the important developments Tuesday in the trial of Leo M. Frank, charged with the murder of Mary Phagan:

It is announced the state will call more than fifty witnesses in rebuttal of the defense's evidence.

State announces its theory that Frank planned a criminal attack upon Mary Phagan the day before she came to the factory for her money.

The court and chaingang record of C. B. Dalton, the State's witness who testified that he had seen women in Frank's office, was shown up by the defense and admitted by Dalton.

Four acquaintances of Dalton testify that they would not believe him under oath and that his reputation for truth and veracity is bad.

C. E. Pollard, expert accountant, testifies that it required him three hours and eleven minutes to compile the financial sheet that the defense claims Frank prepared the afternoon of the murder.

Miss Hattie Hall, stenographer, says that Frank did no work on the financial sheet Saturday morning, the day of the crime.

Jim Conley's declaration that Lemmie Quinn came into the factory and left before the arrival of Monteen Stover, who came at 12:05 o'clock, is challenged by the testimony of Miss Hall, who swears Quinn did not enter the factory before she left at 12:02 o'clock.

Magnolia Kennedy, worker at the pencil factory, testifies she laid her hand and Helen Ferguson's shoulder when they drew their pay and that the girl did not ask for Mary Phagan's wages. She says Schiff paid off. Miss Kennedy says hair found in lathe looked like slain girl's.

Sinister intimations made by Solicitor Dorsey in questioning Will Chambers, a boy in the factory, who denies alleged conversations, are ordered ruled out.

Attorney Arnold threatens to move for a mistrial if any further intimations of this sort are allowed to be heard by the jury.

Minola McKnight, cook in the Frank household, gives evidence against that offered by her husband and declares detectives tried to make her swear to lies. She admitted she signed the affidavit reporting alleged conversations between Mrs. Frank and the prisoner, but insisted it was a lie and that she signed because the detectives threatened to lock her up if she did not.

Miss Corinthia Hall and Mrs. Emma Clark Freeman testified they saw Frank at the factory at 11:35 and left at 11:45. This seems like a strong blow at Jim Conley's story that Frank said to him, "Here comes Corinthia Hall and Emma Clark," when he told him to hide in the wardrobe after the murder—or about 1 o'clock.

However, while Conley swore to this in his third affidavit, after the discrepancy had been pointed out, he said on the stand he wasn't sure what Frank said.

Emil Selig, Frank's father-in-law, testifies to the prisoner's actions at home the day of the murder, and says they were in no way unusual. Several discrepancies in his story compared with his evidence before the coroner's jury are showed up.

Emil Selig, Leo Frank's father-in-law, wa scalled late Tuesdayafternoon to testify to the time Frank left and returned home at the various times on April 26, the day Mary Phagan was slain.

It was announced Tuesday afternoon that the State had subpoened between fifty and sixty witnesse to be on hand Wednesday in readiness to give rebuttal testimony as soon as the defense rests.

Selig was th efirst of the relatives of the accused to be called. Mrs. Selig followed her husband.

Selig declared that he did not see Frank leave Saturday morning, but said he at luncheon with Frank in the afternoon. Frank arrived home at 1:20, Selig testified, and had on him no scratches, bruises or marks of any kind. According to his recollection, Frank's demeanor was in no way unusual.

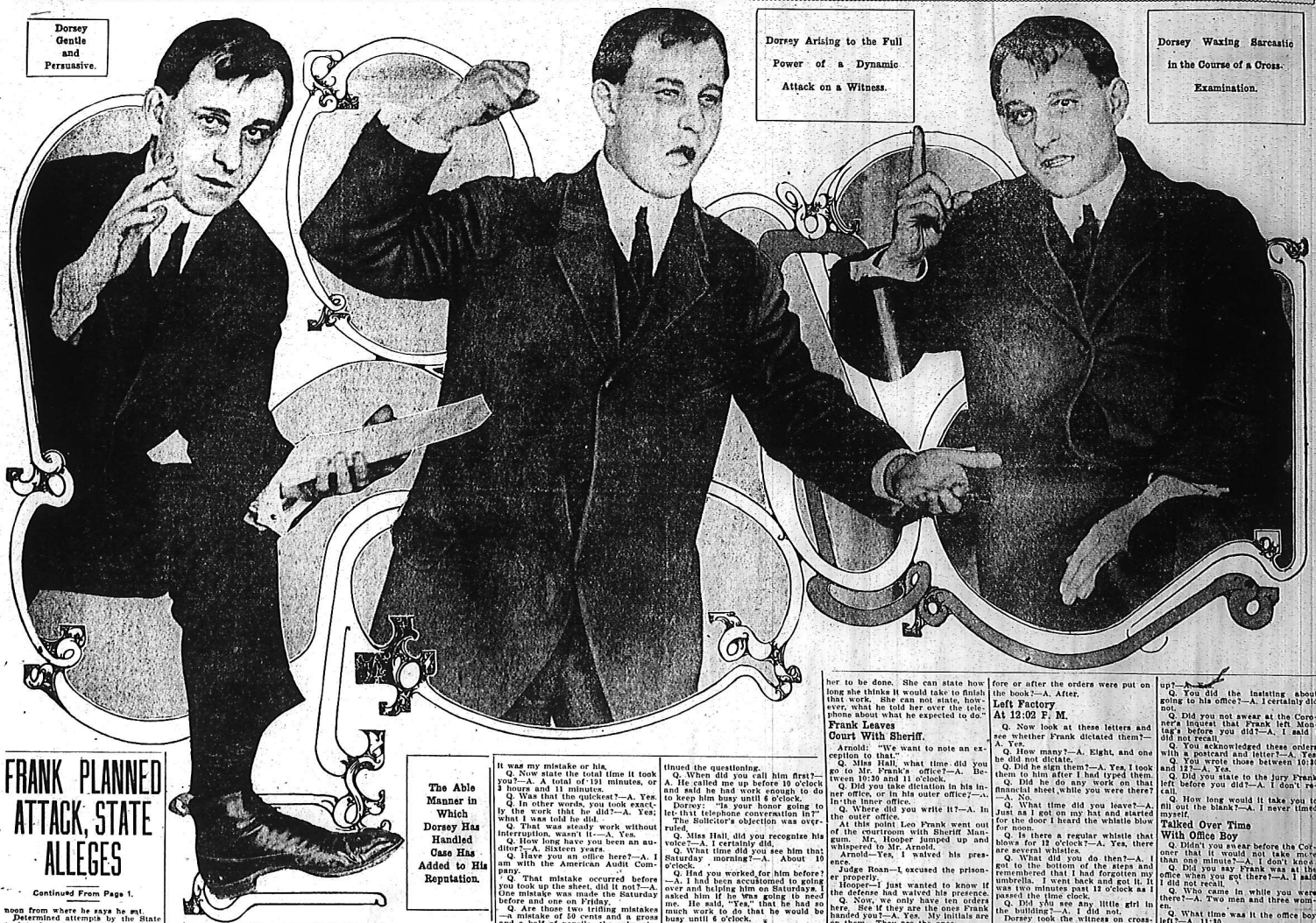
He said he ate with Frank, Mrs. Selig and Mrs. Frank, the women leaving the table a few minutes after Frank's arrival to attend the Grand Opera matinee.

Selig said that Frank returned at night about 8:30 and remained there the rest of the night, going to bed shortly after 10 o'clock.

Solicitor Dorsey gave the witness a grilling cross-examination and sought t oimpeach the testimony by reference to Selig's evidence before the Coroner's inquest.. The Solicitor wasable to find anumber of discrepancies. Three witnesses were called by the defense Tuesday afternoon, to discredit the story of Albert McKnight wh otestified the first week of the trial that he had seen Frank come home Saturdayafetrnoon at 1:30 o'clock, go hastily to the sideboard and then leave at once on his return to the factory.

C. W. Barnhart, an architect and contractor; Henry Wood, secretary of the County Board of Cimmissioners, and Julius Fischer, contractor and builder, were the other witnesses. All testified they had visited the Selig home at 68 East Georgia avenue, where Frank lives, and had found that no one could see what thenegro, Albert McKnight, described as seeing Saturday after-

SOLICITOR HUGH DORSEY GRILLING WITNESSES IN FRANK CASE



Dorsey Gentle and Persuasive.

Dorsey Arising to the Full Power of a Dynamic Attack on a Witness.

Dorsey Waxing Sarcastic in the Course of a Cross-Examination.

The Able Manner in Which Dorsey Has Handled Case Has Added to His Reputation.

FRANK PLANNED ATTACK, STATE ALLEGES

Continued From Page 1.

noon from where he says he sat.

Determined attempts by the State to introduce further evidence of the alleged degeneracy of Leo M. Frank were frustrated Tuesday afternoon by the protests and objections of Attorney Reuben Arnold.

"If any further effort is made to introduce such testimony, I shall move for a mistrial," declared Arnold to the court.

Solicitor Dorsey sought to get the testimony from Philip Chambers, a 18-year-old office boy who was in the pencil factory from last December until March. The Solicitor questioned the boy about alleged conversations with J. N. Gantt, and the boy denied them. Arnold objected and all the questions along this line were ruled out. Dorsey said he would call Gantt in rebuttal.

The State definitely announced Tuesday its theory that Frank deliberately premeditated and planned a criminal attack upon Mary Phagan Friday, April 25, the day before she came to the factory and was slain.

Frank A. Hooper, associated with Solicitor Dorsey in the prosecution, made the surprising announcement of the State's attitude during a heated argument over the admissibility of a portion of the testimony of one of the defense's witnesses, Miss Hattie Hall, stenographer at Montag Bros. and occasionally employed at the National Pencil Factory.

That the State was working upon the theory of premeditation was hinted by the questioning of Helen Ferguson several days ago but Attorney Hooper's address to the court was the first open declaration.

The court and chaingang record of C. B. Dalton, a State's witness against Frank, was given an airing by Attorney Arnold. Dalton was recalled to the stand and made to admit that he had been sent to the chaingang in 1894 on three separate counts for stealing in Walton County.

Dalton also admitted that he had been indicted in 1899 in Walton County for theft and had paid a fine of $141.46.

Attorney Arnold showed the witness copies of four indictments and asked if he knew these had been issued against him in Walton County for selling liquor to Don Tillman and Bob Harris. Dalton denied all knowledge of the indictments.

As soon as Dalton left the stand Y. S. Cooper, J. H. Patrick, W. T. Mitchell and I. M. Patrick, all residents of Walton County, were called to the stand and testified that they knew Dalton and that they wouldn't believe him on oath in a court of justice.

Misses Laura Atkinson and Minnie Smith were called and denied Walton's testimony in regard to being in their company.

Dalton testified, when he was called by the State last week, that he had visited the factory basement with Miss Daisy Hopkins and that he frequently had seen Frank in his office with women.

An unassailable alibi was the object in view when the attorneys for Frank began the questioning of a long line of witnesses who were called to testify in regard to every known movement of Frank Saturday, April 26, the day that Mary Phagan was slain.

The testimony of Miss Hattie Hall was the first along this line. That of Alonzo Mann, office boy, was next.

That Frank did not do any work on the financial sheet Saturday forenoon was one of the most important declarations made by Miss Hall. She had testified at the Coroner's inquest that she assisted Frank in compiling this sheet, but she explained to Solicitor Dorsey that she was mistaken, and it was only one of the tabulations from which the financial sheet was being made that she had worked on.

Her testimony on this point strikes at the State's theory that Frank did the work in the forenoon.

Miss Hall also testified that Frank signified his desire to have her work for him at the factory in the afternoon and had asked Harry Gotheliff to come back to the factory in the afternoon, requests which the defense will claim establish conclusively that Frank was not arranging for the commission of any crime or wrongdoing Saturday afternoon.

The witness said that she left the factory first at 12 o'clock as the whistles were blowing, but that she forgot her umbrella and returned to Frank's office for it, noting that it was 12:02 as she left finally. She declared that she did not see Jeremiah Quinn enter Frank's office. Conley testified that he saw Quinn enter the factory before the arrival of Monteen Stover or Mary Phagan. The Stover girl said she reached the office floor at 12:05 o'clock.

Miss Hall indignantly denied the imputation of Solicitor Dorsey that her salary had been raised as the result of the testimony she was giving. She said that it had been agreed when she entered the employ of Montag Bros. that she was to get an increase of salary August 1, and that she had been unable to get it before this time. Waldo Campbell, an inspector at the factory, came in for a rigorous grilling at the hands of Solicitor Dorsey. Campbell testified that his sister, Mrs. Arthur White, had told him she had seen a negro at the foot of the stairs on the first floor when she went into the factory at 12:30 o'clock.

Campbell Grilled On Affidavit.

"Don't you know that what she actually said was that she saw the negro at 12:50 when she left?" inquired the Solicitor.

Campbell denied that this was so. The Solicitor then showed Campbell an affidavit and asked if it was not his signature at the bottom. Campbell said that it looked like his writing, but that he would not say positively. He denied that he had made the statement in the affidavit in which he was quoted as saying his sister had told of seeing the negro as she left the factory.

The witness on his redirect examination testified that he had seen Conley reading in the factory several times after the crime. Conley said on the stand that he was unable to read, except for a few simple words.

C. E. Pollard, an expert accountant, was the first witness called. He began to testify as to the time required to make out the finance sheet. Attorney Rosser said that the defense probably would conclude its expert testimony with Mr. Pollard, and that Miss Hattie Hall stenographer for Montag Brothers, would be the next witness.

Pollard testified that the minimum time in which Frank could have compiled the finance sheet was three hours and eleven minutes. This bore out the testimony of Herbert Schiff, Frank's co-worker, and Joel Hunter, expert accountant.

Over Three Hours To Compile Report.

Q. What is your business?—A. Certified public accountant.

Q. Have you had occasion to go over the financial sheet of the National Pencil Company of the week of April 24 prepared by Leo M. Frank? A. I have, on a copy of it.

Q. Have you also seen the factory record called the pencil sheet?—A. Yes.

Q. Were you also furnished data necessary to make that sheet?—A. Yes.

Q. I will get you to state as an expert how long it would take to complete it?—A. I took each sheet, compiled it, and timed myself as to the length of time necessary. I prepared the sheet of the 24th day. It took me ten minutes.

Q. Were there any mistakes?—A. Yes, a little one—of one and one-half gross. It was hard to say whether it was my mistake or his.

Q. Now state the total time it took you?—A. A total of 191 minutes, or 3 hours and 11 minutes.

Q. Was that the quickest?—A. Yes.

Q. In other words, you took exactly the work that he did?—A. Yes; what I was told he did.

Q. That was steady work without interruption, wasn't it?—A. Yes.

Q. How long have you been an auditor?—A. Sixteen years.

Q. Have you an office here?—A. I am with the American Audit Company.

Q. That mistake occurred before you took up the sheet, did it not?—A. One mistake was made the Saturday before and one on Friday.

Q. Are those two trifling mistakes—a mistake of 50 cents and a gross and a half of pencils—the only mistakes you found?—A. Yes.

Attorney Hooper took the witness on cross-examination.

Q. Mr. Pollard, this is rather an unusual assignment for you, is it not, to go over a man's business and undertake to state how long it takes him to do it?—A. No, I think not. Frequently we are called on to estimate the time it takes to do work in changing systems.

Q. Is it not true that a man can work his own books better than anyone else's books?—A. Yes.

Mr. Arnold took the witness.

Q. How many times would a man have to multiply, divide and subtract in making up that sheet?—A. Well, 40 multiplications and 160 additions, and I can't guess on the rest.

Aimed to Show Conduct.

The witness was excused and Miss Hattie Hall was called. She was questioned by Attorney Arnold.

Q. What is your business?—A. Stenographer-bookkeeper at Montag Brothers.

Q. Do you ever go to the National Pencil Company?—A. When necessary.

Q. On Saturday, April 26, did you see Leo M. Frank?—A. About 10 o'clock at Montag Brothers.

Q. Did he say anything?—A. Yes, he asked me if I could come over and do some work. I told him I didn't know, but thought I could.

Dorsey interrupted:

"I object to anything he said to her."

Arnold: "Your honor, it is part of the gestalt in this case."

Dorsey: "Here is this dead girl. They would not let her show what she said at 12 o'clock and I can conceive of no principle of law that would let them show what this man said and not let her show what the deceased said."

Arnold: "This is merely to show a course of conduct."

Judge Roan: "I can see no analogy between the two cases. I rather think I can ask the question."

Dorsey: "Well, this is a very important point, your honor, and we would like to give you some authorities."

Judge Roan: "All right."

Dorsey then read at length from the Eighty-fourth Georgia Report.

Judge Roan: "Do you expect to follow that question by showing that he had certain work to do and engaged her to do it?"

Arnold: "Yes."

Judge Roan: "Then I will let you ask it."

Dorsey threw his book on the table and sat down, laughing. Arnold continued the questioning.

Q. When did you call him first?—A. He called me up before 10 o'clock and said he had work enough to do to keep him busy until 6 o'clock.

Dorsey: "Is your honor going to let that telephone conversation in?"

The Solicitor's objection was overruled.

Q. Miss Hall, did you recognize his voice?—A. I certainly did.

Q. What time did you see him that Saturday morning?—A. About 10 o'clock.

Q. Had you worked for him before?—A. I had been accustomed to going over and helping him on Saturdays. I asked him if he was going to need me. He said, "Yes," that he had so much work to do that he would be busy until 6 o'clock.

Dorsey Calls Halt; Roan Sustains Him.

Dorsey interrupted: "You honor, are you going to let that in?"

Judge Roan: "I don't think I will."

Arnold: "Your honor, I wish you would let me argue for a moment. Even the State does not claim any crime was committed at that time. There is no reason in the world to suppose that the accused would not have told the truth at that time. I believe that if a part of the conversation is admissible, all of it is admissible. You must admit it all to explain part. You would do this young man an injustice to shut out this evidence of this day's program, when there was not the slightest motive to be otherwise than truthful."

"Mr. Dorsey has sought to show," continued Mr. Arnold, "that this financial sheet could have been made up in the morning. We are just trying to show that it was impossible. Now I will read you a decision in which I participated with the father of my good friend, the late Judge Dorsey. It was 24 years ago."

Rosser: "Are you that old, Mr. Arnold?"

Arnold: "Yes, I am 24."

"Dorsey: "That case has nothing to do with this one. That was a case where a man on trial for murder swore to a lie."

Arnold: "It was charged that it was a lie. We never did believe it."

Dorsey: "He was convicted."

Arnold: "Yes, he was convicted."

Judge Roan ruled: "Mr. Arnold, this young woman can show that she was called, what she was requested to do, and what was shown her to be done. She can state how long she thinks it would take to finish that work. She can not state, however, what he told her over the telephone about what he expected to do."

Frank Denied Court With Sheriff.

Arnold: "We want to note an exception to that."

Q. Miss Hall, what time did you go to Mr. Frank's office?—A. Between 10:30 and 11 o'clock.

Q. Did you take dictation in his inner office, or in his outer office?—A. In the inner office.

Q. Where did you write it?—A. In the outer office.

At this point Leo Frank went out of the courtroom with Sheriff Mangum. Mr. Hooper jumped up and whispered to Mr. Arnold.

Arnold—Yes, I waived his presence.

Judge Roan—I excused the prisoner properly.

Hooper—I just wanted to know if the defense had waived his presence.

Q. Now, we only have ten orders here. Are they the ones Frank handed you?—A. Yes. My initials are on them. They are the ones.

Q. Now, the orders are sometimes acknowledged as the first step?—A. Yes; in that case they were.

Q. Do you recall to whom Frank was talking that morning?—A. Yes, but I don't recall the names. A man and his son came in. Then there was Miss Corinthia Hall and Mrs. White.

Q. Do you recall what any of them said?—Yes; Mrs. White said she wanted to see her husband.

Q. During this time was Mr. Frank working on this financial sheet or any other similar document?—A. He was not.

Q. Are you familiar with his handwriting?—A. Not very.

Q. I will get you to look on this order book and see if those orders are entered.

The witness read the eleven orders from the order book.

Q. Now, is that your handwriting? —A. No; I think it is Mr. Frank's.

Q. Did you write any of these requisitions?—A. No.

Q. Do you know who did?—A. I understood Mr. Frank did.

Q. Were the requisitions made before or after the orders were put on the book?—A. After.

Left Factory At 12:02 P. M.

Q. Now look at these letters and see whether Frank dictated them?—A. Yes.

Q. How many?—A. Eight, and one he did not dictate.

Q. Did he sign them?—A. Yes, I took them to him after I had typed them.

Q. Did he do any work on that financial sheet while you were there? —A. No.

Q. What time did you leave?—A. Just as I got on my hat and started for the door I heard the whistle blow for noon.

Q. Is there a regular whistle that blows for 12 o'clock?—A. Yes, there are several whistles.

Q. What did you do then?—A. I got to the bottom of the steps and remembered that I had forgotten my umbrella. I went back and got it. It was two minutes past 12 o'clock as I passed the time clock.

Q. Did you see any little girl in the building?—A. I did not.

Dorsey took the witness on cross-examination.

Q. Did you call Frank or Frank call you that Saturday morning?—A. I called him.

Q. He had a regular stenographer, didn't he?—A. They had a stenographer, but she didn't do but about one-third enough work so I had to do.

Q. Miss Hall, what were you receiving at that time?—A. Ten dollars and fifty cents a week.

Q. What are you getting now?—A. Fifteen dollars a week, and I want to explain——

Q. Never mind. Just answer my questions. Didn't you state in a soda fountain last night that the raise came to you without asking for it after it was known that you were to be a witness?—A. Indeed, I did not. I don't go to soda fountains. I want to explain.

Attorney Arnold—Let her explain.

A. I insisted that they give me this raise on July 1, but they wouldn't give it to me until August 1.

Q. Did Frank come to Montag's before or after he called you up?—A. After.

Q. You are the one who called him up?—A. Yes.

Q. You did the insisting about going to his office?—A. I certainly did not.

Q. Did you not swear at the Coroner's inquest that Frank left Montag's before you did?—A. I said I did not recall.

Q. You acknowledged these orders with a postcard and letter?—A. Yes.

Q. You wrote those between 10:30 and 12?—A. Yes.

Q. Did you state to the jury Frank left before you did?—A. I don't recall.

Q. How long would it take you to fill out the blank?—A. I never timed myself.

Talked Over Time With Office Boy

Q. Didn't you swear before the Coroner that it would not take more than one minute?—A. I don't know.

Q. Did you say Frank was at the office when you got there?—A. I said I did not recall.

Q. Who came in while you were there?—A. Two men and three women.

Q. What time was it the office boy left?—A. 11:30.

Q. Didn't you tell the Coroner you could not tell the time?—A. Yes.

Q. How do you know now?—A. The boy told me.

Q. You talked it over with him?—A. Yes.

Q. Where were you when those people came in?—A. In the outer office.

Q. How long were you there when these people came in?—A. I do not recall.

Q. Didn't you tell the Coroner it was fifteen minutes?—A. I don't remember.

Q. How long was it after those let-

Continued on Page 4, Column 1.

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FRANK TRIAL WITNESS IS SURE, AT LEAST, OF ONE THING--A 'GOOD RAGGING'

By JAMES B. NEVIN.

Reader, proverbially gentle, if not always so, be glad, be joyful, and be filled with exceeding thankfulness that you have not been summoned, no matter which way, as a witness in the Frank trial!

Of course, there is a large, fat chance that you have been summoned—most everybody has—but be all those nice things aforesaid, if you haven't.

And even at that, knock on wood.

The trial is young yet—it is not quite three weeks old, three weeks, count 'em—and there still is time for somebody or other to remember that you may know something or other about something or other that may have something or other to do with the case.

Anyway, if you can't be glad and all the rest of it, be just as glad and as nearly all the rest of it as you can, while the being is good or in anywise promising.

If you are a witness in the Frank case, you are skating on about the thinnest ice ever—it makes no difference whatever whose pond you are skating on.

You are ambrosia and cake to one side and you likewise are gall and wormwood to the other—be very sure of that!

If your wife will have anything at all to do with you, and if the neighbors love you any more, when you get back home, it will be entirely because one side or the other forgot to mention the fact that once upon a time you were a horse thief, or somebody said you were a horse thief, or that you had an uncle who was a horse thief, or some pleasant little thing like that.

They don't care particularly whether you ever look like anything any more, after they get through with you down there in the big court nowadays.

Cross-Examining Is What Hurts.

Always on the direct examination, of course, the sledding is elegant.

The gentlemanly party then asking you gentlemanly questions wouldn't hurt your feelings for the world.

He knows you are a law-abiding citizen, and worthy of any trust. He dotes upon you. He loves you. He is your friend until that thing that now and then breaks loose in Georgia freezes over!

Mighty fine—but you haven't yet discovered what's coming to you!

Wait until the cross-examining attorney gets you in his demoniac clutches!

Fur be it from him to remember that you have any kinfolks outside the penitentiary, or that you ever told a truth in your life.

He plainly but pointedly is perfectly willing to bet, right there, that you couldn't tell the truth in three trials, and he will lay you big odds on it, moreover!

Now, of course, the following is not precisely a sample of what has been going on in the courthouse of late, ever since the trial began, in fact, but it is about the way it must seem to many witnesses and spectators to have been, after the day is over and they undertake to recall the things that transpired.

"Mr. Witness," begins the cross-examiner, "you told the learned counsel (sarcastic smile) upon the other side, I believe, that you saw an owl sitting on the back fence about three minutes and two ticks past 8:34 on the night of the killing?"

"Mr. Witness" needn't be the least, tiny bit fooled by that "Mr." business—the cross-examiner would scorn to call a witness "Mister," more than once—after that, it merely is "You, Smith," or "Smith," or "Look here, now," or something snappy and snortish.

Witness: "I said I thought it was an owl—it looked like an owl."

Begins to Shake Fingar.

Attorney: "W-H-A-T! Didn't you just now, in the presence of this erudite jury (shaking finger vigorously under witness' nose), swear positively (shake) and without reserve (shake), sir (shake, shake, shake), that it WAS (shake) an OWL?"

Witness: "Why-er-um-I couldn't swear it was an owl exactly—it has big eyes, anyhow!"

Attorney: "Big eyes? B-A-H! Also B-A-H, B-A-H! Likewise B-A-H, B-A-H, B-A-H!! Then (very sarcastically) it might have been a cat, eh?"

Witness: "Well, sir (very apologetically), I don't think it was a cat—it didn't say 'Meow!'"

Attorney: "Come, come, person, I don't want to know what you THINK—how dare you think, anyway?—you didn't hang around there to HEAR whether it said 'Meow,' did you?"

Witness: "No, sir (very much abashed); I admit I didn't hang around. Owls make me nervous, anyway!"

Attorney: "I've no doubt (sardonic smile) they make you nervous! By the way, person, didn't one of your honorable ancestors (profound sarcasm) come over to this country with Captain Kidd, the well-known pirate?"

Witness: "Um, oh, I——"

Attorney: "Come, come now, answer me; speak right out; tell the truth, if you CAN; did he?"

Drags Wife Into Mix-Up.

Witness: "I really can not say, sir. You see that's been so long ago, and I wasn't there, either, and——"

Attorney: "Well, you won't (more finger shaking under witness' nose) DENY that one of your ancestors may have been a pirate, will you?"

Witness: "I-er-hump-can't say. I'll ask my wife when I get home. Maybe she knows."

Attorney: "You'll ask you wife, wil you? Is she your OWN wife?"

Here the Pleasant Lawyer gets up, and says:

"Your honor, I object to that question. What has a man's own wife got to do with this case?"

His honor doesn't answer right off the reel, so the other lawyer jumps up and withdraws the question.

This makes the witness feel pretty good, for he knew he had a wife when he left home that morning, but he doubts that he can swear positively to any such circumstance now.

Attorney, beginning cross-examination once more: "Let's go back to that owl. What sort of an owl was it, if (more sarcasm) it WAS an owl?"

Witness: "It LOOKED like a screech owl."

Attorney: "Well, a screech owl goes 'screech' and a hoot-owl goes "hoot," doesn't it?"

Witness: "I am not sure, sir. I think that's the way it is. I don't know much about owls."

Attorney, shocked almost speechless: "And here you have been telling this poor, unprotected, orphaned jury, these swell, elegant gentlemen, ALL about owls, and now you say you don't know anything about them."

Witness: "Well, ah, oh, I sup——"

Attorney: "Don't you know an owl is a member of the striges family?"

Witness: "Of the Who-ges family?"

Attorney: "Come, now, don't get gay with me, atom. Don't you know the owl is a member of the striges family?"

Witness: "Never met such a family. They don't live on my side of town."

Attorney: "Well, if you saw in the big dictionary that the owl is of such a family, would you say it was true?"

Witness, perking up a bit: "If I saw it in the city directory, I might believe it, but what's the dictionary got to do with it?"

Attorney, waxing superlatively sarcastic: "Will you, speck on the face of creation, kindly permit ME to ask the questions? All I ask of you is that you let ME do that, then YOU answer, if you CAN."

Then the Pleasant Lawyer gets up again.

It certainly is a relief to a witness when the P. L. arises to ejaculate a few broken observations. He is the only rainbow in sight, once things get going.

Pleasant Lawyer: "Your honor, I submit that the big dictionary itself is the highest evidence of what the big dictionary says. If the learned counsel on the other side (great gobs, clusters and festoons of sarcasm) wishes to know WHAT the big dictionary says about owls, screech or otherwise, let him tender the BIG DICTIONARY, and stop snarling and beefing at this gentlemanly, talented, honest and exceptionally bright witness!"

The witness thanks the pleasant lawyer for them kind words, all right, for they are the first he has heard in many hours.

Mean Attorney: "Well, animal, have you a big dictionary at home?"

Witness: "No, sir; the one I use is over in the State Library."

Pleasant Lawyer: "Now, then, your honor, since this accommodating witness has answered the questions, I move that the able (withering contempt) counsel on the other side be required to bring the State Library into court, or shut off their questions about owls. I move to strike from the record everything this downtrodden witness has said about owls, unless the State Library be brought over and handed to the jury for inspection."

Mean Attorney: "Does your honor mean to tell me—ME—that I must bring the entire State Library into court, in order to prove that an owl is a member of the striges family, merely because this stubborn and evidently partisan witness will not say?"

His honor, sighing, patiently: "Well, gentlemen, what has this aforesaid and hereinbefore mentioned owl TO DO WITH THIS CASE, ANYWAY?"

Mean Attorney, getting red in the face, probably about to explode with righteous indignation: "What has it to DO with the case? Why, your honor, opposing counsel brought out the question of owls. Didn't this witness, brazenly and with palpable malice aforethought, say to this grand and magnificent jury that when he went home last Thanksgiving night he saw an owl sitting on the back fence?"

The Grand Climax.

Pleasant Attorney: "I don't think the gentleman said Thanksgiving night; I think it was Christmas. It makes a lot of difference in the matter of seeing things at night, as your honor may know, or—er—may have heard, whether it be Thanksgiving or Christmas. Besides, he didn't say he saw an owl sitting on the back fence. He merely said he went home that night on an owl car."

Everything about owls, the owl car and the back fence is ruled out, and the Mean Lawyer sits down, evidently greatly chagrined and angered.

And the witness?

About all the witness hopes as he leaves the stand is that his wife at home—if she's still there—loves him, anyway, and will continue to think well of him hereafter, notwithstanding the fact that he has been a witness in Atlanta's most famous murder trial.

It makes no difference whatever which side summons you to testify in the Frank case, it's tough luck! You can't win.

You will be made to wish you never had been born before they get through with you—that's the surest thing you know!

PENCIL FACTORY GIRL WHO WILL TESTIFY FOR THE FRANK DEFENSE

Eula May Flowers, Who Will Testify for Frank.

Augusta to Share Crop-Moving Fund

AUGUSTA, Aug. 12.—Albert S. Hatch, president of the Merchants' Bank and a member of the committee of the Augusta Clearing House Association, sent to Washington to confer with Secretary McAdoo, of the Treasury Department, in regard to money with which to move the crops, has returned and announces that Augusta spoke for $600,000, which she will get if she wants it. Hatch said Augusta could have probably gotten more had she asked for it.

Georgia J. O. U. A. M. In Session at Macon

MACON, Aug. 12.—The nineteenth biennial convention of the Junior Order of United American Mechanics met here to-day with about 150 delegates, representing the various councils in the State, in attendance.

It is probable that the next meeting will go to Athens, and that Benjamin J. Symons, of Savannah, will be elected councilor to succeed Judge W. W. Shepard, of Savannah. O. H. Puckett, of Atlanta, state treasurer, is assured of re-election.

Extra Police to Curb Thieves Bryan Day

STROUDSBURG, PA., Aug. 12.—Expecting an unusual representation of pickpockets when William J. Bryan makes his chautauqua address here August 28, the borough fathers, at their regular monthly council meeting, have taken decided action.

Secretary Williams was directed to ask Superintendent Groome to have the State constabulary here on Bryan day. The occasion is expected to draw a larger crowd than any circus day in the last 25 years.

900 Young Women Ask to Join Army

Special Cable to The Atlanta Georgian.

PARIS, Aug. 12.—The War Minister has received a petition from 900 young Frenchwomen who ask to be allowed to join the army in the auxiliary services.

They declare they are prepared to submit absolutely to military discipline, adding that their dearest hope is to consecrate part of their youth to France, and thus co-operate with their brethren in the national defense.

WONDERFUL HOW RESINOL CURED ITCHING HUMOR

New York, N. Y., May 19, 1913: "I was taken with a terrible itching and burning in my hands. They would crack and bleed. I could not do my work. I had to walk the floors at night. I tried —— and ——, but no relief, until I used Resinol Soap and Resinol Ointment—then I could go to sleep. The Resinol treatment is something wonderful, for if you could see my hands, you would never think that they were ever sore—they are so nice and soft, and I can do all my work now." (Signed) Mrs. Wm. Sutherland, 125 East 71st St.

For 18 years Resinol has been a doctor's prescription and household remedy for eczema, ringworm, pimples, dandruff, wounds, burns, sores and piles. Resinol Ointment and Resinol Soap are sold by all druggists. Trial free. Dept. 5-R, Resinol, Baltimore, Md.

SUICIDE BY DYNAMITE.

ALTOONA, PA., Aug. 12.—Placing two sticks of dynamite in his vest pocket, Henry Boldt, 55, applied a match to the fuses and was blown to pieces.

$6 WRIGHTSVILLE BEACH

Round trip Saturday, August 23. Special train, sleepers and coaches. Leave Old Depot 6 p. m. SEABOARD.

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Keeps the armpits fresh, dry and natural. No more faded and spoiled dresses and no more odor. Eliminates excessive perspiration from any part of the body.

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And other "Live" Dealers in Toilet Articles.
INSIST ON ODORONO—THERE'S NOTHING "JUST AS GOOD."

Attacks on Dr. Harris Give Defense Good Day

The defense had what was probably its best day on Monday. Medical experts were on the witness stand the larger part of the day. The purpose of their testimony was to knock down, one after another, the sensational statements of Dr. H. F. Harris, secretary of the State Board of Health. All of the witnesses joined in ridiculing every important theory or conclusion that was reached by the distinguished chemist and physician.

Experts for Defense.

These are the medical experts called by the defense to combat the testimony of Dr. Harris:

Dr. Willis F. Westmoreland, first president of the Georgia State Board of Health, and president of the Atlanta College of Physicians and Surgeons.

Professor George Buchman, demonstrator in physiology at the Atlanta College of Physicians and Surgeons; formerly one of the faculty of the Jefferson Medical College, Philadelphia.

Dr. T. H. Hancock, a specialist in surgical practice.

Dr. J. C. Olmstead, a graduate of Columbia University, and a practitioner in Atlanta for 22 years.

Here is a summary of Dr. Harris' theories on the death of Mary Phagan and the consensus of the four medical experts' opinions in regard to the theories:

How Views Clashed.

Mary Phagan came to her death within half or three-quarters of an hour of the time she ate her meal of cabbage and wheat bread at home. The condition of the cabbage shows it had been in her stomach no longer than that when death stopped the digestive processes.

"No man in the world could examine those specimens of cabbage and tell either from their condition or from the conditions found in the stomach of the murdered girl nine days after death within hours of the time that elapsed between her meal and her death."

The wound on the back of the girl's head indicates that she was knocked unconscious and later strangled to death.

Called Reckless Conjecture.

"From the data at hand, it is absolutely impossible to tell that the wound on the head caused unconsciousness. It is only a rash and reckless conjecture."

Mary Phagan was the victim of criminal violence rather than that superficially apparent.

"This is the most extraordinary surmise that could be imagined. As a matter of fact, he could not have told from the conditions he says were present that she was a victim of criminal violence, even if he had made the examination within a few hours after death, instead of nine days later."

Dr. Harris not only was buffeted about on account of his startling theories and conclusions, but because of his conduct in the case. Attorney Reuben Arnold asked Dr. Westmoreland what he would think of a physician or chemist who was called into a case like that of the Phagan murder; who made the examinations admittedly for the reason that he "liked the Solicitor"; who conducted all of his analyses and experiments in absolute secrecy, who had not even a collaborator to check up on him, and who saved none of the material for the use of chemists who might be engaged by the defense.

Solicitor Dorsey at once made objection to the question.

"I don't know that the question is admissible, but it ought to be," retorted Arnold. "We wish to show that Dr. Harris has violated all of the ethics of his profession, as well as the principles of honesty and decency and fairness. A man's life is at stake, your honor. His case should not be affected by one man's word who deliberately has destroyed all of the material upon which he says he bases his theories."

Dr. Westmoreland was permitted to answer. He said:

"It is the ethical rule that a chemist or physician either call in another expert or preserve the specimens of his test."

Solicitor Dorsey endeavored to show that Dr. Westmoreland might be influenced in his testimony by a breach of professional relations with Dr. Harris which occurred some time ago.

Attempts to Show Dislike.

"How is you feeling toward Dr. Harris?" he asked. "Is it kindly or unkindly?"

The witness replied that it was neither one nor the other.

Asked by Attorney Arnold to go into the matter to which the Solicitor referred, Dr. Westmoreland said that he had preferred charges of scientific dishonesty against Dr. Harris and that the charges had been found well grounded, but were not regarded as sufficiently grave to warrant any action. He thereupon resigned from the State Board of Health, he said, leaving Dr. Harris in his position of secretary.

Joel Hunter, an expert public accountant, testified just before adjournment that if you have taken Leo Frank at least three hours to make up the financial sheet and balance his accounts on the day that Mary Phagan was murdered.

"That wouldn't have given him much time to go to the ball game, would it?" inquired Attorney Hooper.

It is the theory of the State that Frank was planning to go to the ball game Saturday afternoon and that he compiled practically all of the financial sheet Saturday forenoon. This is in opposition to the contention of the defense that Frank did all of the difficult mathematical work in the afternoon, something he could not have done had he just committed a brutal murder.

People's Cry for Justice Is Proof Sentiment Still Lives

By L. F. WOODRUFF.

There is as much sentiment in the world to-day as there was in 1861 or 1776 or 1492 or 1066 or any other date that may come to your recollection.

It's not fashionable to say so, but it's true. People to-day are too prone to accuse themselves and their neighbors of being worshippers of Mammon and declaring that the money-grubbing instinct has crushed out sentiment, patriotism and honesty.

But right now in Atlanta, there is a striking example of the goodness that is man's to-day, just as much as it has ever been.

It is the one bright spot in the hideous slaying of Mary Phagan and the terrors of the trial of Leo Frank.

More people are interested in the case probably than in any criminal action the South has ever known. They are thrilled by it, for they know that the officers of the law and the Government of the State are spending thousands of dollars to find the man guilty of her murder and punish him.

Had Mary Phagan been of a prominent house, had she been wealthy, had her family or friends been influential there would be no room for comment.

The cynic could say, "Oh, she was a rich girl, what chance would there be for a child of the masses?"

But the Phagan case gives this the lie.

Mary Phagan's family is not wealthy. It is not prominent. It is not influential.

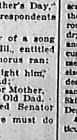
And still the great public has arisen with a demand that can be heard the length and breadth of the nation that her slayer be found and punished.

Had Mary Phagan been a princess of Peachtree instead of just a little Atlanta girl—as good as she was pretty—who had to struggle to make her living, the sentiment would not have been half so fervid.

The sympathy that has gone out to her and her family is a lasting proof of Atlanta's and the South's democracy.

RINGWORM SPREAD ALL OVER HAND

Itched So Scratched Till Bled, Screamed When Washed, Cuticura Soap and Ointment Cured.



R. F. D. No. 2, Box 67, Kilpatrick, Ga.—"My son's ringworm began on the back of his hand. A fiery red spot came about as big as a dime and it would itch so badly he would scratch it till it bled. It began to spread till it was all over his hand. He would just scream every time I went to wash it. The salt came off on the middle finger.

"I used ——, and it got worse all the time. The trouble lasted two or three months, then I sent and got some Cuticura Soap and Ointment and began to use them. I would wash his hand with the Cuticura Soap and dry it good and apply the Cuticura Ointment. Relief was found in two or three days and the ringworm was cured in two weeks after using Cuticura Soap and Ointment." (Signed) Josie Parks, Jan. 4, 1913.

Not only are Cuticura Soap and Ointment most valuable in the treatment of eczemas and other distressing eruptions of skin and scalp, but they are also most effective in the treatment of pimples, blackheads, red, rough skins, itching, scaly scalps, dandruff, dry, thin and falling hair, chapped hands and shapeless nails. A single cake of Cuticura Soap (25c.) and box of Cuticura Ointment (50c.) are often sufficient when all else has failed. Sold by druggists and dealers throughout the world. Liberal sample of each mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

☞After this when shave and shampoo with Cuticura Soap will find it best for skin and scalp.

"Poor Old Dad," Poem Touches Ham Lewis

WASHINGTON, Aug. 12.—Senator James Hamilton Lewis isn't the Lewis who is advocating a "Father's Day," although hundreds of correspondents think he is; but—

He has received a copy of a song from a man in Decatur, Ill., entitled "Poor Old Dad." The chorus ran:

No, it isn't meant to slight him,
But it looks a little sad;
All the bouquets made for Mother,
Not a bloom for Poor Old Dad.

"Poor Old Dad!" sighed Senator Lewis. "Now I know we must do something for him."

Davison-Paxon-Stokes Co.

475 New White Skirts in a Special Sale Tomorrow at - - - - 85c

They Are $1 to $2 Skirts

Brand-new, every one of them—they will go into stock for the first time—for this special sale Wednesday—and they are such good skirts that not many who see them will let pass the opportunity to buy two, three or a half dozen.

They are beautifully made in about six stylish models, some with side inserts or plaits, all button-trimmed. The material is good pique, in wide and medium welts.

All sizes too—so that even very stout women may share this economy. The sizes are—22 to 36 waist, and 36 to 44 length.

Regular $1.00 to $2.00 Skirts—for your selection Wednesday at 85c each.

Women's Apparel Section—Fourth Floor.

RESIDENTS OF DALTON'S HOME COUNTY RIDDLE HIS CHARACTER ON STAND

Continued From Page 2.

ters were started that you commenced writing?—A. Two minutes.

Q. Can you tell how long you were writing these letters?—A. No.

Q. When you were writing those letters, where was Frank?—A. In his office.

Q. After you finished, what did he do?—A. I took them to him.

Q. Did he say anything?—A. He said he would put them in the envelopes and mail them.

Q. He said you need not wait?—A. Yes.

Q. Did you get anything there Monday?—A. I got the timebook and some papers.

Q. The previous Saturday when you were over there, do you remember Frank working on the financial sheet that morning?—A. No. I helped him get up something about gross—I found afterward it was the average sheet.

made it up. I helped him by transferring some of the things to the sheet?—A. Yes, but I thought it was the financial sheet.

Q. Didn't you state at the coroner's inquest when you helped him the Saturday before?—A. Yes.

Found Her Error Herself, She Says.

Q. When was it you discovered it was not the financial sheet?—A. I don't know, but I want you to know I discovered the mistake myself.

Q. Now, were you not at the factory the previous Saturday and helped him?—A. Yes.

Q. Did you not have that financial sheet before you at the Coroner's inquest, and did you not identify it?—A. I don't think so.

Q. Well, you said he was working on the financial sheet that previous morning?—A. He was not.

Q. Did you not tell the Coroner's jury that you were in the outer office the entire time?—A. I don't know.

Q. Now explain how your mind underwent this change. You said then you were not in his office and now you say you were.—A. I was rattled before the Coroner, because I had never been in a courtroom before.

Q. Now, didn't you say in response to the question, "Do you know what a financial sheet is?" that you did?—A. But I was thinking of the average sheet.

Q. Now, what did you mean by telling the Coroner some of those girls came in for their pay and now saying the only one you know anything about came in for her coat?—A. I just forgot.

Q. Now, didn't Frank say that morning that he would not get up that sheet until Herbert Schiff came down and put up the new sheet?—A. Yes, he said he could not go on with his work until Schiff came down.

Q. You do know that Frank said positively he could not make up that sheet until Schiff had gotten up certain data?—A. He did not positively say so. He said he did not mind Mr. Schiff being off if he had done his work, but that he had not done his work.

Q. Miss Hall, didn't you swear before the Coroner's jury that you worked on this financial sheet which is written in ink the Saturday previous, and now you say you swear it was this sheet which is written in pencil?—A. I did not. I was identifying the handwriting on the sheet.

Q. You said lots of people wrote slanting, and it was hard to identify?—A. Yes.

Q. While you were working in Frank's outer office, you said he was very quiet and you did not know what he was doing?—A. Yes.

Q. You do not know whether he was working on the financial sheet or not?—A. Yes. I saw the papers on his desk that he was working on, and the financial sheet was not among them.

Attorney Arnold took the witness.

Q. Why did you tell Mr. Frank you had to get away at 12 o'clock?—A. He said something about wanting me to help him in the afternoon. I told him I had to get away at 12 o'clock, and I did get away at 12 o'clock.

Dalton's Prison Record Exposed.

Dorsey objected to the answer, but was overruled.

Miss Hall was excused and C. B. Dalton was recalled to the stand. Arnold questioned him.

Q. Who is Andrew Dalton?—A. A brother-in-law.

Q. With the same name?—A. Yes.

Q. Who is John Dalton?—A. He is my brother.

Q. Weren't you three sent to the chaingang at the special term of the Walton County Superior Court in 1894?—A. No.

Q. You were not?—A. I was, but the others paid out.

Q. What did you steal?—A. A chop hammer.

Q. Didn't you plead guilty to two more charges?—A. That is the only time I ever went to the chaingang. I don't know how long I served, but I was pardoned in March.

Attorney Arnold moved that the witness' reply in reference to being pardoned be struck from the records.

Q. Didn't you plead guilty to three charges all at the same time? And that the sentences were concurrent on the three charges?—A. All I took was a chop hammer. Some of the other boys took a plow stock.

Q. In the February term of 1899, were you not indicted for stealing a bale of cotton?—A. For helping.

Q. Were you found guilty?—A. I was fined $146, which I paid.

Q. After that, did you not go into Gwinnett County and steal?—A. I was indicted for stealing some corn, but I was found not guilty.

Dorsey took the witness.

Q. How long since you were in trouble?—A. Eighteen years.

Dorsey to Recall Daisy Hopkins.

Arnold took the witness.

Q. Is it not a fact that there are now four indictments against you in Walton County for selling liquor?—A. If there are I don't know it.

Q. Is it not a fact that they let you get out of the county and were anxious to get rid of you?—A. I have been back there very seldom.

Dorsey took the witness.

Q. Do you know that Daisy Hopkins knows Leo Frank?—A. I do.

Q. How do you know?—A. She told me she knew him, and then I saw her talking to him.

Arnold interrupted: "I object to what she said."

"That's all right, then" Dorsey replied: "I will recall her."

Dalton was excused and the defense, began an attack on his character with witnesses from Walton County.

H. E. Cooper, the first witness called, was accompanied by a small boy of 6. He held the boy on his lap while he took the stand on the witness stand. Arnold questioned him.

Q. What is your business?—A. A farmer.

Q. How long have you been in Walton County?—A. Fifty years.

Q. Do you know C. B. Dalton?—A. I do.

Q. Do you know his general character?—A. I do.

Q. Is it good or bad?—A. Bad.

Q. Would you believe him under oath?—A. I would not.

Wouldn't Believe Him Under Oath.

At this point C. B. Dalton was called for but could not be found. Dorsey said he would admit that the witness was speaking of the Dalton who had twelve indictments against Frank. Hooper was excused and J. H. Patrick was called. Arnold questioned him.

Q. Where do you live?—A. In Walton County.

Q. What do you do?—A. Carpenter and bailiff.

Q. Have you seen Dalton here this morning?—A. I shook hands with him.

Q. Do you know his general character for truth and veracity and is it good or bad?—A. Bad.

Q. Would you believe him on oath?—A. No.

The witness was excused and W. T. Mitchell was called. Arnold questioned him.

Q. Where do you live?—A. Walton County.

Q. Do you know C. B. Dalton?—A. Yes.

Q. Have you seen him this morning?—A. Yes.

Q. Do you know his general character?—A. Yes.

Q. Would you believe him under oath?—A. No.

The witness was excused and I. M. Hamilton was called. Arnold questioned him.

Q. Where do you live?—A. Walton County.

Q. What is your business?—A. Farmer.

Q. Do you know C. B. Dalton?—A. Yes.

Q. Would you believe him under oath?—A. No.

The witness was excused and Miss Laura Atkinson, of No. 30 Ella street, Atlanta, a woman apparently 35 years of age, was called to the stand. Arnold questioned her.

Q. Where do you work?—A. At the Empire Printing Company.

Q. Did you ever work for the National Pencil Company?—A. Yes, for two days.

Denies Dalton's Story of Strolls.

Q. Do you know C. B. Dalton?—A. Yes.

Q. Did you ever walk home with him from the Busy Bee Cafe on Forsyth street?—A. I did not.

Q. Were you ever with him around the National Pencil Company?—

Dorsey interrupted: "I object," he said. "The witness said nothing that reflected on this woman."

Arnold: "It was a reflection for him to say that he was with her."

The objection was sustained.

Dorsey took the witness.

Q. How long have you known Dalton?—A. About six months.

Q. Were you ever in his company? A. I have been in his company three times.

The witness was excused, and Mrs. Minnie Smith called. Arnold questioned her.

Q. Where do you work?—A. National Pencil Company.

Q. Are you the Mrs. Smith who lives at No. 148 South Pryor street?—A. Yes.

Q. Are you the only Mrs. Smith at that address?—A. Yes.

Q. Do you know C. B. Dalton?—A. No.

Q. Were you ever in his company?—A. No.

The witness was excused. Alonzo Mann, the office boy at the National Pencil Factory, was then called. Arnold questioned him.

Q. Where do you work?—A. At the National Pencil Company as an office boy.

Q. How long have you been there? A. Since April 1 of this year.

Q. Where do you stay when you are not at work?—A. Right outside the office.

Left Frank and Miss Hall in Office.

Q. How late do you work on Saturdays?—A. I had only been there two Saturdays before the murder.

Q. You don't know how late you stayed?—A. No.

Q. What time did you leave the office Memorial Day?—A. At 11:30.

Q. Who did you leave there?—A. Miss Hall and Mr Frank.

Q. Do you recall what you did that morning?—A. No.

Q. Did you phone Mr. Schiff?—A. Yes. Mr. Frank told me to, but I could not go him.

Q. How late did you stay those other Saturdays? A. 2 30 to 4 o'clock.

Q. Did you see Mr. Frank bring any women there and buy them drinks?—A. No.

Q. Who do you recall seeing there that day? A. Mr. Holliday, Mr. Irby, Mr. McCrary and Mr. Darley.

Q. Can you recall anybody else?—A. No.

Q. Did you see Corinthia Hall?—A. I don't remember.

Q. Did you see a man come in to see about his boy?—A. I don't know.

Dorsey took the witness.

Q. What time did Mr. Frank get there that morning?—A. I don't remember.

Q. Did he go out?—A. One time, as I recall.

Q. Do you know how long he was gone?—A. No, I can't remember.

The witness was excused and Wade Campbell was called.

Arnold questioned him.

Q. Where are you employed?—A. I have been at the National Pencil Company for a year and a half.

Q. Do you recall a conversation with Mrs. White the Monday following the murder?—A. Yes.

Q. Can you tell me what she said?—A. She said that as she went into the factory at 12 o'clock she saw a negro sitting there. She said that when she came down he was not there, and she heard voices, but could not tell where.

Q. Were you at the factory Saturday?—A. Yes.

Q. At what time?—A. About 9:35.

Q. Did you see Frank?—A. Yes; I went right to his office.

Q. Did he say anything?—A. Yes; I was jollying him and he was jollying me.

Q. Were you on the fourth floor Tuesday morning?—A. Yes.

Q. Did you see Jim Conley up there? A. No.

Dorsey took the witness on cross-examination.

Q. Do you board with Mr. Darley? A. I did.

Q. Where were you Saturday night of the murder?—A. I don't know.

Q. Didn't you go to the Bijou that night with Mr. Darley?

"I object," said Roeser.

Judge Roan sustained the objection.

Q. Darley is a married man with five children, is he not?—A. Yes.

Q. Did you see Miss Dixon that night?

Roeser—I object.

Judge Roan sustained him.

Q. You reported to Darley on April 28 that your sister had been arrested in the pencil factory on Saturday, about 10 o'clock?—A. Yes, he sent me to see my sister.

Q. What did she tell you?—A. She said she saw a negro man on the first floor. She said she heard some indistinct voices as she went in.

Q. You saw that blood on the second floor?—A. I saw what they said was blood.

Q. How did it look?—A. I didn't notice it close enough to tell about it.

Grilled Concerning Statement to Dorsey.

Q. Where do you work?—A. As an inspector at the National Pencil Company.

Q. You made a statement on May 12?—A. I made a statement to you, I don't remember the date.

Q. Didn't you state that your sister said she saw the negro as she was coming out?—A. I did not.

Q. You deny it, then?—A. I do.

Q. Is this your signature?—A. It looks very much like it.

Q. You can't swear that this is your signature?—A. No, I would not swear it.

Q. You say that you don't know whether that is your signature?—A. Yes.

Q. Do you deny making this statement?—A. I told you I did.

Q. Did you not read over this statement and make certain corrections?—A. Yes.

Q. Did you not say in this statement that your sister went there at 12:30 and could not see her husband and went back?—A. I don't know.

Arnold took the witness.

Q. How did you come to go to Dorsey's office?—A. I received a subpena.

Q. You thought you had to go?—A. Yes.

Q. Didn't you know that it was not worth the paper it was written on?—A. No.

Wanted To See Corrections Made.

Q. Did you just point out these corrections, or did you wait and see that they were made?—A. I think I waited.

Q. Who was there?—A. Starnes, Campbell and Dorsey.

Q. Did they all ask you questions?—A. Yes.

Q. All of these 21 pages are your statement?—A. Yes.

Q. You were asked all of these questions?—A. Yes.

Q. Were you asked at the time Dorsey was in your office if anyone came in and did you answer "No"?—A. Yes.

Q. You answered that someone came in to get their pay?—A. Yes.

Q. Do you know this negro Jim Conley?—A. Yes.

Q. After this murder do you recall seeing him reading newspapers?—A. Yes.

Q. Where?—A. On the fourth floor.

Q. How many times?—A. Twice.

Q. Is it anything unusual to see spots on the metal room floor?—A. No.

Q. Have you seen the place where Conley said he found the body?—A. No.

Dorsey took the witness.

Q. Where was Conley sitting when he was reading the paper?—A. By the elevator.

Q. Where was he the second time?—A. In the rear of the building.

Q. What paper was he reading?—A. I don't know.

Q. Do you know whether he was reading about the crime?—A. No.

Q. Was it an extra?—A. I think so.

Q. You knew Conley could write?—A. Yes.

Q. You did not report it to the officers?—A. No.

Q. Did Frank know he could write?—A. I don't know.

Q. Did you see him write?—A. In the boxroom.

Q. Did you ever see him writing with a pencil?—A. Yes.

Q. Who did you tell what your sister told you?—A. Mr. Darley.

Q. How often did you see these spots in the metal room?—A. Occasionally.

Q. How often have you seen those spots in the hall?—A. Dif. very often.

Q. Did you see the spots where those chips were taken up?—A. Yes.

Q. You saw those spots everywhere, what everybody said was blood, and yet you tell the jury you didn't pay any attention to it?—A. Yes.

Q. Other people got down and looked at them, didn't they?—A. Yes.

Roeser interrupted:

"I object to what other people said and saw. It is utterly immaterial and irrelevant," he said.

"We want to show," said Mr. Hooper, interrupting, "that this man was interested and that he went out to see his sister about the negro, and yet he came back there and was in no way interested."

"I think you can ask questions along that line," said the court.

"Well, we want to record an objection," said Roeser.

Q. Where and when have you ever seen on that second floor anything that looked like that spot?—A. I did not look close enough at it to know.

Q. Where have you seen other spots like it on the floor of the metal room?—A. There were other spots, but I don't know whether they were like that spot or not.

Q. Did you talk to your brother-in-law about what your sister said?—A. He told me about it.

Court adjourned until 2 o'clock.

Says Girl Didn't Ask For Mary Phagan's Pay.

When court convened at 2 o'clock the defense called for Gordon Bailey, the negro elevator boy at the National Pencil Factory but he did not answer. Philip Chambers was also called, but failed to respond.

Miss Magnolia Kennedy, one of the pencil factory employees in the metal department, was then called and took the stand. Arnold questioned her.

Q. Where do you work?—A. At the National Pencil Company.

Q. How long have you worked there?—A. Four years.

Q. In what department did you work?—A. In the metal department.

Q. Did you know Mary Phagan?—A. Yes.

Q. Do you know Helen Ferguson?—A. Yes.

Q. On the day before April 26, did you draw your pay?—A. Yes.

Q. Where did you draw it?—A. From Mr. Schiff at the pay window.

Q. Did you see Helen Ferguson? A. I had my hand on her shoulder when she got her money.

Q. Was Mr. Frank there?—A. No.

Q. Did you ask for Mary Phagan's pay?—A. No.

Q. Did you go out with her?—A. Yes. We went downstairs and waited for Grace Hix.

Q. Did Helen Ferguson ever say anything about Mary's pay?—A. She said at 5 o'clock that Mary was not there.

Dorsey took the witness on cross-examination.

Q. Were you at the factory April 28?—A. Yes.

Q. Did you find any hair on that lathing machine?—A. Yes.

Q. Whose was it?—A. It looked like Mary's.

Mary and Ferguson Girl Companions.

Q. You and Mary and Grace Hix were the only girls in that department, were you not?—A. Yes.

Q. How did Mary's hair look?—A. It was light.

Q. You don't mean to say you were with Helen all that afternoon?—A. No.

Q. She and Mary were friends and went together all the time, did they not?—A. Yes.

Q. You don't know what she did when you were not with her, do you?—A. No.

Q. You saw those spots on the floor, did you not?—A. Yes.

Q. How did they look?—A. There were white stains all over them.

Q. How large?—A. About as large as that piece of paper, eight by ten inches.

Q. Did you ever notice any spots on the second floor like the one pointed out and said to be blood?—A. No, I never did.

Q. And you have been there four years?—A. Yes.

Attorney Arnold took the witness.

Q. You told Mr. Dorsey you thought that was Mary Phagan's hair on the lathe. You don't know that it was Mary Phagan's hair, do you?—A. No, sir.

Q. You went with Helen Ferguson to get your pay that Friday?—A. Yes.

Q. Did you see her speak to Mr. Frank?—A. No.

Q. Was there any necessity for her to see Mr. Frank when Mr. Schiff was at the pay window?—A. No.

Negro Elevator Boy on Stand.

Miss Kennedy was excused and Gordon Bailey, the negro elevator boy, took the stand. Arnold questioned him.

Q. Where did you work in April of this year, Snowball?—A. At the pencil factory.

Q. On the Friday before Memorial Day did you see Jim Conley talking to Mr. Frank and hear Mr. Frank ask him to come back Saturday?—A. No, sir.

Q. Did you ever hear Mr. Frank tell Jim to come back?—A. No, sir.

Q. Did you ever see Mr. Frank bring any women there?—A. No.

Q. Did you ever see Conley watching at that lower door?—A. No.

Q. Were you at the factory last Thanksgiving Day?—A. I don't remember.

Q. Did you ever see Conley reading a newspaper?—A. I saw him looking at papers down there at the station house.

Q. You don't know wether he was reading or not?—A. No.

Q. Did you ever see Mr. Frank make any improper proposal to any lady in that factory?—A. No.

Q. Did you never see Mr. Frank talking to Conley at any time, did you?—A. No.

Q. Did you ever see Mr. Frank at all, Friday?—A. I saw him about 1 o'clock. He was talking to Mr. Schiff.

Dorsey took the witness on the cross-examination.

Q. Snowball, when were you arrested?—A. Monday.

Q. Did you see Mr. Frank before you were arrested?—A. Yes, sir.

Q. Where was he?—A. On the second floor.

Q. What was he doing?—A. I don't know.

The negro was excused and Phillip Chambers, a boy 14 years old, was called. Arnold questioned him.

Q. Did you ever work for the National Pencil Company?—A. Yes.

Q. Where and in what capacity?—A. I went there in December and stayed until March.

Q. How late did you stay on Saturdays?—A. Until about 4:30 o'clock.

Q. Were you ever absent on Saturdays during the months you were there?—A. Between 11 and 12 o'clock I was sometimes sent to the Bell street plant to get the payroll.

Q. Did you ever see any women around Mr. Frank's office with beer and drinks?—A. His wife came up there once while I was there. She was the only one I ever saw.

Q. Did you ever see Jim Conley around there?—A. Yes. He was around there sweeping, sometimes.

Q. What time?—A. Saturday afternoon.

Q. Didn't Mr. Holloway issue an order that no more sweeping should be done Saturday afternoons?—A. Mr. Darley did.

Solicitor Dorsey took the witness on cross-examination.

Q. You and Frank were pretty good friends were you not?—A. Just like other folks.

The State here referred to several alleged conversations with J. N. Gantt, along the lines of Jim Conley's most sinister testimony which the boy denied and Attorney Arnold moved that it all be stricken out.

Dorsey arose to speak, but Arnold interrupted.

"Your honor," he said, "are we going to allow a speech before the jury on this subject?"

Judge Roan: "Take the jury out."

Arnold: "Never mind, let them stay." The jury remained.

Solicitor Dorsey: "Your Honor, they have gone into the question of Frank's relations to women. We have a right to show if there was anything improper towards this boy. He denies it. I am laying the ground to impeach him by Gantt."

Judge Roan: "I rule out both questions and answers."

Defense Threatens to Move for a Mistrial.

Arnold. "It is the unfairest thing I have ever heard of, brought in in this illegal way. It has been brought up by this miserable negro. It is beyond indignation to sit here and listen to such stuff. The charge could be brought against you or me or any member of the jury by such insuendos if it comes up again I am going to move for a mistrial."

Judge Roan: "I have already ruled it out."

Dorsey: "Well, we will put up Gantt and let you rule on that."

The witness was excused and Minola McKnight, the cook at the Selig residence, was put on the stand. Arnold questioned her.

Q. Were you working with Mrs. Selig last Memorial Day?—A. Yes.

Q. Did Mr. and Mrs. Frank live with Mr. and Mrs. Selig?—A. Yes.

Q. Where was their room?—A. Upstairs

Q. Did you see Mr. Frank the morning of April 26?—A. Yes.

Q. What time did he get his breakfast?—A. About 8.

Q. Did you see him again that day? —A. Yes, about 1:20.

Q. When he came home to dinner? —A. Yes.

Q. Was Albert McKnight there in the kitchen that day?—A. He was not.

Q. Could you see in that mirror in the dining room from the kitchen?—A. No.

Q. Do you recall what time he left after dinner?—A. Sometime after 2 o'clock.

Says She Made False Statement.

Q. What time did he return?—A. About 6:30 o'clock.

Q. You left him there?—A. Yes.

Q. When did you see him again?—A. Sunday, I don't know what time.

Q. Did the detectives come and arrest you?—A. Yes.

Q. Where did they take you?—A. Over on Central avenue.

Q. To the Thrower Building?—A. Yes.

Q. Was this man Dorsey there?—A. Yes.

Q. And these two detectives? —A. Yes.

Q. Who else?—A. My husband.

Q. What did they do?—A. They said I told my husband things and told to make me say I had. I told them it was all lies, but they would not listen to me.

Q. What was your husband trying to get you to tell these detectives? —A. That Miss Lucille was telling her mother Sunday morning that Mr. Frank had made her get out of bed.

Q. What did you tell them?—A. That it was a lie.

Q. What did they do?—A. They said they would put me in jail, and they carried me out and put me in the patrol wagon.

Q. Put you in the patrol wagon? What did they do next?—A. They had me in a hole and I signed a paper to get away.

Dorsey took the witness on cross-examination.

Q. Minola, you made a statement May 3 in my office before this visit you were speaking about. Is not this the statement? You made: "I was at the Frank home Saturday, April 26. Frank came there at about 1 o'clock. He did not seem to want to go back to work and stayed there until 3 o'clock?"

The negro woman interrupted Solicitor Dorsey at this point to say she said 2 instead of 3 o'clock.

Q. Before June 2 Mr. Pickett and Mr. Graves, of the Peck & Gregg Hardware Company, were out to see

Continued To Page 7, Column 1.

M. RICH & BROS. CO.

A Special Sale

Of Patent, Gun Metal and Tan

Pumps & Oxfords

400 pairs of $4 & $5 Shoes

$2.95

White Canvas Pumps, Up-to-the-minute $3.50 and $4 Pumps and Oxfords. A fit for every foot. Choice ..

$1.95

Patent, Mat and Bronze Kid, Spanish Heel Colonial Pumps

$5.45

Genuine $7 Brooklyn-made Slippers. Have cut-steel buckle. All sizes in stock. This style is the latest out. The quality and fit are the best obtainable.

M. RICH & BROS. CO.

"A Department of Famous Shoes"

MEN AND RELIGION BULLETIN No. 74

God in Georgia

"For it is God which worketh in you both to will and to do His good pleasure."

---Philippians 2:13.

Thanks Be to Him the House Has Passed House Bill No. 4 and Directed That It Be Transmitted Immediately to the Senate.

We believe that Georgia will provide for her wayward and delinquent girls at this session of the Legislature.

THE EXECUTIVE COMMITTEE OF THE MEN AND RELIGION FORWARD MOVEMENT

AIDS FRANK CONLEY STORY IS HIT BY GIRL WIN BARONS ROUTED

EXTRA

THE ATLANTA GEORGIAN

Read for Profit---GEORGIAN WANT ADS---Use for Results

VOL. XII. NO. 8. ATLANTA, GA., TUESDAY, AUGUST 12, 1913. 2 CENTS. PAY NO MORE

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ATLANTA	1 5 0 0 3 2 1 0 0—12
BIRMINGHAM	0 0 0 0 1 2 0 0 0—3

CRACKERS	r	h	o	a	e	BARONS	r	h	o	a	e
Agler, 1b	2	1	10	1	0	Marcan, 2b	0	0	3	3	1
Long, lf	2	1	2	0	0	Messenger, rf	0	0	1	0	1
Welchonce, cf	1	3	2	0	0	McBride, lf	1	1	3	0	0
Smith, 2b	0	1	1	6	0	Knisely, cf	1	2	3	0	0
Bisland, ss	2	3	2	3	0	Mayer, c	1	3	1	0	0
Holland, 3b	2	3	1	0	0	McGilvray, 1b	0	1	11	1	0
Holtz, rf	1	1	1	0	0	Ellam, ss	0	0	3	6	0
Chapman, c	1	0	7	1	0	Carrell, 3b	0	1	1	0	0
Dent, p	1	1	1	2	0	Hardgrove, p	0	0	0	0	0
Totals	12	14	27	13	0	Gregory, p	0	0	1	1	0
						Totals	3	10	27	12	2

SUMMARY.

Two-base hit—Smith, Long, Bisland. Three-base hits—Holtz, Agler. Double plays—McGilvray to Ellam to McGilvray. Struck out—by Dent 4. Bases on balls—off Hardgrove 2; Evans 2; Dent 1. Sacrifice hits—Smith, Welchonce, McGilvray. Hit by pitched ball—Agler. Umpires, Breitenstein and Hart.

LAST OF EIGHTH INNING—McBride out, Smith to Agler. Kniseley singled to center. Mayer singled to left. McGilvray out, Dent to Agler. Ellam out, Smith to Agler. TWO HITS, NO RUNS.

NINTH INNING—Chapman flied to McBride. Dent flied to Kniseley. Agler out, short to first. NO HITS, NO RUNS.

Ellam out Bisland to Agler. Evans out, Smtih to Agler. Marcan out, Holland to Agler. NO HITS, NO RUNS.

JUDGE ROAN RULES OUT NEW ATTACK ON FRANK'S CHARACTER

Here are the important developments Tuesday in the trial of Leo M. Frank, charged with the murder of Mary Phagan:

State announces its theory that Frank planned a criminal attack upon Mary Phagan the day before she came to the factory for her money.

The court and chaingang record of C. B. Dalton, the State's witness who testified that he had seen women in Frank's office, was shown up by the defense and admitted by Dalton.

Four acquaintances of Dalton testify that they would not believe him under oath and that his reputation for truth and veracity is bad.

C. E. Pollard, expert accountant, testifies that it required him three hours and eleven minutes to compile the financial sheet that the defense claims Frank prepared the afternoon of the murder.

Miss Hattie Hall, stenographer, says that Frank did no work on the financial sheet Saturday morning, the day of the crime.

Jim Conley's declaration that Lemmie Quinn came into the factory and left before the arrival of Monteen Stover, who came at 12:05 o'clock, is challenged by the testimony of Miss Hall, who swears Quinn did not enter the factory before she left at 12:02 o'clock.

Magnolia Kennedy, worker at the pencil factory, testifies she laid her hand and Helen Ferguson's shoulder when they drew their pay and that the girl did not ask for Mary Phagan's wages. She says Schiff paid off. Miss Kennedy says hair found in lathe looked like slain girl's.

Sinister intimations made by Solicitor Dorsey in questioning Will Chambers, a boy in the factory, who denies alleged conversations, are ordered ruled out.

Attorney Arnold threatens to move for a mistrial if any further intimations of this sort are allowed to be heard by the jury.

Minola McKnight, cook in the Frank household, gives evidence against that offered by her husband and declares detectives tried to make her swear to lies. She admitted she signed the affidavit reporting alleged conversations between Mrs. Frank and the prisoner, but insisted it was a lie and that she signed because the detectives threatened to lock her up if she did not.

Miss Corinthia Hall and Mrs. Emma Clark Freeman testified they saw Frank at the factory at 11:35 and left at 11:45. This seems like a strong blow at Jim Conley's story that Frank said to him, "Here comes Corinthia Hall and Emma Clark," when he told him to hide in the wardrobe after the murder—or about 1 o'clock.

However, while Conley swore to this in his third affidavit, after the discrepancy had been pointed out, he said on the stand he wasn't sure what Frank said.

Determined attempts by the State to introduce further evidence of the alleged degeneracy of Leo M. Frank were frustrated Tuesday afternoon by the protests and objections of Attorney Reuben Arnold.

"If any further effort is made to introduce such testimony, I shall move for a mistrial," declared Arnold to the court.

Solicitor Dorsey sought to get the testimony from Philip Chambers, a 15-year-old office boy who was in the pencil factory from last December until March. The Solicitor Questioned the boy about alleged conversations with J. N. Gantt, and the boy denied them. Arnold objected and all the questions along this line were ruled out. Dorsey said he would call Gantt in rebuttal.

Minola McKnight, the negro cook whose sensational affidavit concerning occurrences in the Frank home the day of the tragedy and the night and morning following created a stir early in June, utterly repudiated the affidavit to Attorney Arnold and Solicitor Dorsey.

She declared that it all was "a pack of lies" and that she had been browbeaten and bulldozed by the detectives into signing it under threat of spending a term in jail.

All of this, she swore, had been invented by her husband. In addition, she declared her husband had not been at the Frank home April 26. McKnight swore he was there and saw Frank come home and then depart hurriedly without eating anything.

Dorsey was not able to shake her in her denials of the truth of any part of the statement.

Gordon Bailey, one of the sweepers at the factory, testified that he had not heard Frank ask Conley to come early Saturday to the factory and that he never had seen women in Frank's office nor Conley watching at the factory door.

He testified that he saw Conley looking at the newspapers at the police station.

The State definitely announced Tuesday its theory that Frank deliberately premeditated and planned a criminal attack upon Mary Phagan Friday, April 25, the day before she came to the factory and was slain.

Continued to Page 2, Column 1.

LATEST NEWS

LONDON, Aug. 12.—The shadow of another war in the Balkans hangs over Europe. Sir Edward Grey, British Foreign Minister, announced in the House of Commons to-day that if Turkey refuses to give up Adrianople at the insistence of Bulgaria, the powers will not be able to divert the consequences, "no matter what their character."

WASHINGTON, April 12.—The direct overture of the United States to the Huerta administration—the tender of American aid in the effort to restore peace in Mexico—is expected to be transmitted by Envoy Lind to the Mexican national palace within a few hours.

MILWAUKEE, WIS., Aug. 12. There will be no formal organization of a National Council of Catholic Women at the convention of the American Federation of Catholics this year. This was practically determined this forenoon at the preliminary meeting of the women called to plan the perfecting of such a council.

LOUISVILLE, KY., Aug. 12.—The Ohio River is at the lowest stage in years as a result of the drouth, and coal shipments have suspended. Three million bushels of coal due for shipment south are tied up at Pittsburg.

SAN FRANCISCO, Aug. 12.—Eleanor Fay, who says Louis R. Glavis, of Ballinger case fame, is her fiance, tried to end her life by swallowing carbolic acid while on a ferry boat plying the bay. She asserted she was to wed Glavis soon.

I. T. U. Officers May Serve Indefinitely

NASHVILLE, TENN., Aug. 12.—President Lynch, of the International Typographical Union, won another victory at the annual convention of the order to-day when the delegates sustained by an overwhelming vote the recommendation of the committee on laws that reported unfavorably on the proposition to make officers of the International Union ineligible to serve for more than two years. This proposition by Delegate Beadle, of Tacoma, Wash., was aimed particularly at President Lynch.

AMERICAN ASSOCIATION.

FIRST GAME.

Milwaukee-Louisville, no game, wet grounds.

FIRST GAME.

Score:		R.	H.	E.
St. Paul	013 000 010	5	12	4
Indianapolis	100 000 000	1	4	3

Walker and James; Burk, Norton and Casey. Umpires, Chill and Irwin.

Score:		R.	H.	E.
Kansas City	000 000 101	2	4	2
Toledo	210 100 000	4	7	0

Rhoades and Moore; Collomore and DeVought. Umpires, Handiboe and Johnstone.

Second game. Score:		R.	H.	E.
Milwaukee	020 002 001	5	8	0
Louisville	200 000 000	2	5	2

Hoolik, Brown and Hughes; Toney and Severold and Clemens. Umpire, Murray and Connally.

Score:		H.	H.	E.
Minneapolis	000 320 001	6	8	0
Columbus	000 000 000	0	6	2

Comstock and Owens; Cole and Murphy. Westervelt and O'Brien.

INTERNATIONAL LEAGUE.

FIRST GAME.

Montreal-Baltimore, no game, wet grounds.

FIRST GAME.

Score:		R.	H.	E.
Rochester	000 100 000	1	8	1
Newark	000 200 00x	2	5	1

Keefe and Jacklitsch; Barger and Higgins. Umpires, Mullen and Kelly.

Second game. Score.		R.	H.	E.
Rochester	002000 100	3	7	1
Newark	000 010 010	2	6	1

Hughes and Jacklitsch; Bell, Schadt and McCarty. Umpires, Mullen and Kelly.

SECOND GAME.

Montreal-Baltimore, no game, wet grounds.

Score:		H.	H.	E.
Buffalo	011 302 000	7	9	4
Providence	200 202 20x	8	12	3

Fdill, Mattison and Gowdy; Stine and Jonslow. Umpires, Owen and Nallin.

CAROLINA LEAGUE.

FIRST GAME.

Score:		R.	H.	E.
Charlotte	040 003 001	8	17	2
Raleigh	000 001 000	1	8	1

Jarman and Lidgate; Fahrer and McPherson. Umpire, McBride.

Portsmouth-Newport News, rain.

Richmond Petersburg, rain.

SECOND GAME.

Score:		R.	H.	E.
Charlotte	010 000 4	5	8	0
Raleigh	100 000 0	1	4	0

Adams and Lidgate; Bausewine and McPherson. Umpire, McBride.

FEDERAL LEAGUE.

Score:		R.	H.	E.
Indianapolis	000 000 040	4	7	0
Cleveland	000 000 000	0	5	2

Link and Jester; Wilson and Kilenow.

Score:		R.	H.	E.
Chicago	000 001 001	2	6	2
Pittsburg	001 016 20x	10	10	0

Ashenfelder and Goldchrist; Ramsey and Watson. Umpires, VanSickle and Sullivan.

EXTRADITION OF ZACHRY IS DENIED

Executive's Action Comes as the Supreme Court Reverses Ruling Favoring Father.

The Supreme Court Tuesday reversed the decision of Judge Hammond, of Augusta, awarding the two Zachry children to the father, thereby further complicating the sensational case in which requisition papers by Governor Cole Blease for Zachry were refused by Governor Slaton Tuesday morning.

According to the ruling of the Supreme Court, the decision awarding the children to the father is reversed and remanded to Judge Hammond's court for further hearing. The ruling further specifies that Judge Hammond may exercise his discretion in awarding the custody of the children, which is contrary to the opinion rendered by Judge Hammond, who held previously that he was forced to award the children to Zachry because of a previous judgment.

The effect of the ruling will be to put the whole matter back in the Augusta courts, with the possibility that Mrs. Zachry will be awarded the custody of the two children.

Governor Slaton based his refusal on the fact that no State law had been violated by Zachry in South Carolina and that the whole case was against the defendant grew out of the desire of Mrs. Zachry to obtain the custody of the two children.

One of the most spectacular fights for the extradition of a citizen ever recorded in Georgia occurred in the Governor's offices Monday. Charges and counter charges were hurled in turn by counsel for the defense and for the State of South Carolina, and at one time a personal mix-up between Attorney Dunbar, representing Mrs. Zachry, and Attorney Phinizy, representing Mr. Zachry, who charged that the case had been prosecuted with all the "vindictiveness" that Mr. Dunbar could summon, was narrowly averted by the Governor.

Slaton Draws Line.

"You may wax just as enthusiastic as you like," said Governor Slaton to Mr. Phinizy, "but you can't say those things. That will not do here."

The hearing was as unique as it was spectacular. With the Governor sitting as both court and jury, attorneys for the defense and plaintiffs were allowed to argue their cases to their hearts' content with frequent interruptions by the Governor, who kept close tab on every bit of evidence offered.

In addition to the three attorneys for Zachry, Cohen and Phinizy, of Augusta, and West, of Thompson, E. D. Clary, Mayor of Harlem, the defendant's home town, testified in behalf of Zachry. Attorneys Rembert, of Columbia, S. C., and Dunbar, of Augusta, represented the State of South Carolina.

Mayor Clary, of Harlem, created a sensation when he testified that he had on one occasion pulled Mrs. Zachry and her mother off Zachry following an attack. Mrs. Zachry, he declared further, had said in his presence that if she did not get her children she would have to kill her husband.

Kidnaping Charge Irrelevant.

The climax of the hearing was reached, however, when the attorneys for Governor Blease virtually admitted to Governor Slaton that the charge of kidnaping, as incorporated in the requisition papers, was not relevant and that practically all that Mrs. Zachry wanted was the custody of the two children.

In substantiation of the latter statement Governor Slaton referred to a letter which he himself had received from Mrs. Zachry, in which, he declared, it seemed that all that Mrs. Zachry wanted was the children.

This testimony of the Governor and the startling admission of Attorney Rembert, representing Governor Blease, broke down the whole argument of the plaintiff and really marked the turning point in the hearing.

RACING RESULTS

AT SARATOGA.

FIRST—5½ furlongs: Pennant 102 (Wolfe), 4-1, 8-5, 4-5, won; Stromboli 107 (McTaggart), 7-10, 1-3, out, second; Surprising 110 (Davies), 4-1, even, 2-5, third. Time 105 4-5. Also ran: Pan American, Rost, Decoy, Florin, Trakemark, May Dora.

SECOND—Mile and one-sixteenth: Warhorn 103 (McTaggart), 4-5, 1-3, out, won; Fred Mulholland 105 (Butwell), even, out, second; Inspector Lestrade 105 (Rowley), 40-1, 8-1, 2-1, third. Time 1:52 4-5. Also ran: Creme de Menthe, Breaker Boy.

THIRD—Seven furlongs: Ella Bryson 106 (McTaggart), 3-1, even, 2-5, won; Genesta 102 (Wolf), 9-5, 7-10, 1-4, second; Palanquin 112 (Karrick), 5-3, 4-5, 2-5, third. Time, 1:25 4-5. Also ran: Judge Walser, Grover Hughes, Brookfield.

FOURTH—Mile: Reybourn 92 (McTaggart), 8, 7-5, out, won; Ten Point 122 (Loftus), 2-5, out, second; Night Stick 103 (Ambrose), 5, 4-5, out, third. Time 1:37. Also ran: Cliff Edge.

FIFTH—Fiv and half furlongs: Susan B. 1 07(Martin), 3, even, 1-2, won; Lily Orme 119 (Troxler), 15, 6, 3, second; El Mahdi 101 (McTaggart), 15, 6, 3, third. Time 1:07 3-5. Also ran: Flask, Perth Rock, Unfuri, Mordecai, Heart Beat, Rosa Mundi, Polly H., Eustace, J. Nolan.

AT FORT ERIE.

FIRST—5 furlongs: Patience 104 (Montour), 11-5, even, 1-2, won; Manners 112 (Obert), 5-1, 2-1, even, second; Zodiac 100 (Callahan), 10-1, 4-1, 2-1, third. Time 1:03 2-5. Also ran: Lady Isle, Woodrow, Behest, Highpriest, Buss Around, Indolence, Grandness.

SECOND — Mile: Crystlawoga 100 (Obert), 9-1, 3-1, even, won; Capersauce 108 (Small), 18-5, 7-5, out, second; Rockspring 108 (Buxton), 13-5 4-5, out, third. Time 1:43. Also ran: Havrock, Ondramon.

THIRD—Distance not given: Ennis Killen 165 (Bowser), 4-5, 1-4, out, won; Guncotton 154 (Dupee), 3, 7-10, out, second; Luckola 147 (Cassidy), 9-3, 7-5, out, third. Time, 3:57 3-5. Also ran: Melos.

FOURTH—Six furlongs: Marjorie A. 106 (Deronde), 7-5, 1-2, out, won; The Widow Moon 102 (Kederis), 3, 2, out, second; Upright 105 (Smith), 5-2, 3-2, 3-5, third. Time 1:14. Also ran: Mediator, Font.

FIFTH—Mile and sixteenth: Tactics 109 (Fairbrother), 3, 6-5, 1-2, won; Husky Lad 110 (Schuttinger), 3, 4-5, 2-5, second; Miss Jonah 103 (Buxton), 8, 3, even, third. Time, 1:46 4-5. Also ran: Miss Joe, Tillies Nightmare, Blanche Francis, Adolante.

ENTRIES ON PAGE 11.

Postal Receipts Here Top 2 Larger Cities

Figures made public by Postmaster Hugh McKee show that the receipts for the last fiscal year at the Atlanta postoffice were greater than the offices at Louisville and New Orleans, both larger cities than Atlanta.

The receipts at the local office were $1,328,011.14, at New Orleans $1,182,761.72 and at Louisville $1,163,698.18.

EMPIRE LEAGUE.

AT WAYCROSS—

BRUNSWICK—

100 0.. ... - . . .

WAYCROSS—

000 1.. .. - . . .

Faircloth and Coveney; Hartner and Pierre. Umpire, Derrick.

AT AMERICUS—

CORDELE—

000 000 00. - . . .

AMERICUS—

200 010 10. - . . .

Hall and Bowdon; Dacy and Manchester. Umpire, Gentle.

AT THOMASVILLE—

VALDOSTA—

000 0.. ... - . . .

THOMASVILLE—

101 2.. ... - . . .

Zellers and Wise; Day and Dudley.

SOUTH ATLANTIC LEAGUE.

AT CHARLESTON—

MACON—

001 000 0.. - . . .

CHARLESTON—

000 000 1.. - . . .

Smith and Berger; Winchell and Menefee. Umpire, Moran.

AT JACKSONVILLE—

SAVANNAH—

010 000 0 . . - . . .

JACKSONVILLE—

000 000 0.. - . . .

Robertson and Geibel; Burmeister and Krebs. Umpire, Barr.

AT COLUMBUS—

ALBANY—

205 0.. ... - . . .

COLUMBUS—

000 0.. ... - . . .

SMITH MEN SCORE 5 IN SECOND

Crackers Jump on Hardgrove and Pound Him From Box; Dent Faces Barons.

RICKROOD PARK, BIRMINGHAM, ALA., Aug. 12.—Billy Smith's warriors jumped on Hardgrove in the first and second innings and amassed a lead of six runs over the Barons. He was replaced by Gregory in the third inning.

Elliott Dent was on the hurling hill for the visitors and was strong in the early sessions.

FIRST INNING.

Agler out, Ellam to McGilvray. Long out over the same route. Welchonce beat out a bunt. Smith doubled to right scoring Welchonce. Bisland popped to McGilvray. TWO HITS, ONE RUN.

Marcan walked and was out stealing, Chapman to Smith. Messenger flied to Welchonce. McBride popped to Holland. NO HITS, NO RUNS.

SECOND INNING.

Holland singled to left. Holtz popped to McGilvray. Chapman walked. Dent singled to right scoring Holland, Chapman went to third. Agler hit by pitched ball. Long walked, forcing in Chapman. Welchonce singled to left scoring Dent and Agler. Smith flied to McBride. Long scored after the catch. Bisland out, Marcan to McGilvray. THREE HITS, FIVE RUNS.

Kniseley popped to Bisland. Mayer flied to Long. McGilvray out, Smith to Agler. NO HITS, NO RUNS.

THIRD INNING.

Gregory relieved Hardgrove. Holland singled to center. Holtz hit into a double play, McGilvray to Ellam to McGilvray. Chapman out, Ellam to McGilvray. ONE HIT, NO RUNS.

Ellam out, Bisland to Agler. Carroll singled to center. Gregory out, Smith to Agler. Marcan out, Agler to Dent. ONE HIT, NO RUNS.

FOURTH INNING.

Dent popped to Marcan. Agler popped to Carroll. Long out, Marcan to McGilvray. NO HITS, NO RUNS.

Messenger popped to Chapman. McBride flied to Holtz. Kniseley fanned. NO HITS, NO RUNS.

FIFTH INNING.

Welchonce flied to Kniseley. Smith out, Ellam to McGilvray. Bisland singled to center. Holland singled to center. Holtz tripled to right, scoring Bisland and Holland. Holtz scored when Messenger threw wild to third. Chapman out, Gregory to McGilvray. THREE HITS, THREE RUNS.

Mayer singled to right. McGilvray singled to right. Ellam fanned. Carroll singled to center scoring Mayer. Gregory fanned. Marcan out, Dent to Agler. THREE HITS, ONE RUN.

SIXTH INNING.

Dent flied to McBride. Agler tripled to center. Long doubled to left scoring Agler. Welchonce flied to Kniseley and Long went to third. Smith grounded to Ellam who threw wild to first, Long scored, but McGilvray recovered the ball and threw Smith out to Marcan. TWO HITS, TWO RUNS.

Messenger out, Bisland to Agler. McBride singled to center. Kniseley singled to left. Mayer singled to right scoring McBride. McGilvray flied to Long, Kniseley scored after the catch. Ellam fanned. THREE HITS, TWO RUNS.

SEVENTH INNING.

Evans now pitching for Birmingham. Bisland doubled to left. Holland walked. Holtz popped to Evans. Chapman forced Holland, Ellam to Marcan, on the attempted double play McGilvray missed the throw and Bisland scored. Dent walked. Agler lined to Ellam. ONE HIT, ONE RUN.

Carroll singled to center. Evans flied to Welchonce. Marcan popped to Chapman. Messenger forced Carroll, Smith to Bisland.

EIGHTH INNING.

Long fanned. Welchonce singled over second. Smith flied to Messenger. Bisland singled to center. Holland, filling the bases. Holtz grounded to second, forcing Holland. TWO HITS, NO RUNS.

For Remainder of Details See Red Type.

Bill Providing Home For Wayward Girls Is Passed in House

The bill introduced in the House by Representatives Jones of Coweta and Mills of Butts County providing for a home for wayward girls to be called the "Georgia Industrial Home for Girls," carrying with it an appropriation of $30,000, was passed Tuesday after much discussion, by a vote of 115 to 46.

Twenty thousand dollars will be used as a building fund and the remaining $10,000 will be used as a maintenance fund. The bill met with bitter opposition by Fullbright of Burke County, who declared it was of no use, as the Senate would not act on the measure. The Speaker of the House informed the gentleman from Burke that he had received word from the President of the Senate that the Senate would consider it.

Shuptrine of Chatham made a motion to have the bill tabled. The motion was lost, 106 to 54. The bill also provides for a board of managers consisting of five members, two of which shall be women. Minor amendments to the bill were considered.

FINAL ★

SOUTHERN LEAGUE

AT MOBILE

MONTGOMERY	200	01.	...	-	.	.	.
MOBILE	200	0..	...	-	.	.	.

Sparks and Gribbens; Robertson and Schmidt. Umpires, Rudderham and Fifield.

AT NASHVILLE—

CHATTANOOGA	100	...	...	-	.	.	.
NASHVILLE	002	...	...	-	.	.	.

Grimbs and Graham; Fleharty and Gibson. Umpires, Kerin and Wright.

AT MONTGOMERY—

MEMPHIS	000	000	...	-	.	.	.
NEW ORLEANS	000	000	...	-	.	.	.

Kissinger and Seabough; Glavinich and Yantz. Umpires, Pfenninger and Stockdale.

AMERICAN LEAGUE

AT PHILADELPHIA—

CHICAGO	010	000	210	-	4	6	3
PHILADELPHIA	000	000	110	-	2	7	1

Scott and Kuhn; Brown, Bender and Lapp and Schang. Umpires, Connolly and Ferguson.

AT NEW YORK—

ST. LOUIS	100	204	000	-	7	14	3
NEW YORK	100	000	010	-	2	7	1

Mitchell, Leverenz and Alexander; Schulz, Fisher, McConnell and Sweeney. Umpires, O'Loughlin and Sheridan.

Cleveland-Washington, no game; rain.

Other games not scheduled.

NATIONAL LEAGUE

AT PITTSBURG—

CINCINNATI	200	000	000	-	2	10	0
PITTSBURG	400	100	00X	-	5	13	0

Brown, Packard and Clarke; McQuillen, Cooper and Gibson. Umpires, Brennan and Eason.

AT BROOKLYN—

NEW YORK	100	003	000	02	-	6	8	4
BROOKLYN	201	100	000	01	-	5	7	1

Demaree, Fromme, Mathewson and McLean; Walker, Ragan and Fischer. Umpires, O'Day and Quigley.

FIRST GAME.

AT BOSTON—

CHICAGO	100	200	000	-	3	5	3
BOSTON	000	034	00X	-	7	10	4

Cheney, Moore and Archer and Bresnahan; Dickson, Perdue and Rariden. Umpires, Klem and Orth.

SECOND GAME.

CHICAGO	100	020	000	-	3	6	6
BOSTON	112	300	20X	-	9	13	0

Stack, Lavender and Bresnahan; Hess and Whaling. Umpires, Klem and Orth.

Other games not scheduled.

WRECK ON GEORGIA ROAD.

THOMSON.—A section of through freight train No. 210 on the Georgia Railroad was wrecked here to-day; six cars being piled in a heap. A broken wheel is supposed to have caused the wreck. A tramp was hurt, but no one was killed. Passenger trains were delayed here.

NEW MUSICAL JOURNAL.

EASTMAN.—The Musical Star, a new monthly musical journal published in this city, has just made its appearance. Professor A. M. Pace is managing editor. Associated with him are J. C. Lenderman, of McRae, and George W. Stapleton, of this city.

EXTRA

THE ATLANTA GEORGIAN

Read for Profit---GEORGIAN WANT ADS---Use for Results

NIGHT EDITION

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JUDGE ROAN BARS ATTACK ON FRANK'S CHARACTER

Cook Repudiates Affidavit; Charges Intimidation

STATE CHARGES THAT ATTACK ON GIRL WAS PLANNED BY ACCUSED

Here are the important developments Tuesday in the trial of Leo M. Frank, charged with the murder of Mary Phagan:

State announces its theory that Frank planned a criminal attack upon Mary Phagan the day before she came to the factory for her money.

The court and chaingang record of C. B. Dalton, the State's witness who testified that he had seen women in Frank's office, was shown up by the defense and admitted by Dalton.

Four acquaintances of Dalton testify that they would not believe him under oath and that his reputation for truth and veracity is bad.

C. E. Pollard, expert accountant, testifies that it required him three hours and eleven minutes to compile the financial sheet that the defense claims Frank prepared the afternoon of the murder.

Miss Hattie Hall, stenographer, says that Frank did no work on the financial sheet Saturday morning, the day of the crime.

Jim Conley's declaration that Lemmie Quinn came into the factory and left before the arrival of Monteen Stover, who came at 12:05 o'clock, is challenged by the testimony of Miss Hall, who swears Quinn did not enter the factory before she left at 12:02 o'clock.

Magnolia Kennedy, worker at the pencil factory, testifies she laid her hand and Helen Ferguson's shoulder when they drew their pay and that the girl did not ask for Mary Phagan's wages. She says Schiff paid off. Miss Kennedy says hair found in lathe looked like slain girl's.

Sinister intimations made by Solicitor Dorsey in questioning Will Chambers, a boy in the factory, who denies alleged conversations, are ordered ruled out.

Attorney Arnold threatens to move for a mistrial if any further intimations of this sort are allowed to be heard by the jury.

Minola McKnight, cook in the Frank household, gives evidence against that offered by her husband and declares detectives tried to make her swear to lies. She admitted she signed the affidavit reporting alleged conversations between Mrs. Frank and the prisoner, but insisted it was a lie and that she signed because the detectives threatened to lock her up if she did not.

Determined attempts by the State to introduce further evidence of the alleged degeneracy of Leo M. Frank were frustrated Tuesday afternoon by the protests and objections of Attorney Reuben Arnold.

"If any further effort is made to introduce such testimony, I shall move for a mistrial," declared Arnold to the court.

Solicitor Dorsey sought to get the testimony from Philip Chambers, a 15-year-old office boy who was in the pencil factory from last December until March. The Solicitor Questioned the boy about alleged conversations with J. N. Gantt, and the boy denied them. Arnold objected and all the questions along this line were ruled out. Dorsey said he would call Gantt in rebuttal.

Minola McKnight, the negro cook whose sensational affidavit concerning occurrences in the Frank home the day of the tragedy and the night and morning following created a stir early in June, utterly repudiated the affidavit to Attorney Arnold and Solicitor Dorsey.

She declared that it all was "a pack of lies" and that she had been browbeaten and bulldozed by the detectives into signing it under threat of spending a term in jail.

All of this, she swore, had been invented by her husband. In addition, she declared her husband had not been at the Frank home April 26. McKnight swore he was there and saw Frank come home and then depart hurriedly without eating anything.

Dorsey was not able to shake her in her denials of the truth of any part of the statement.

Gordon Bailey, one of the sweepers at the factory, testified that he had not heard Frank ask Conley to come early Saturday to the factory and that he never had seen women in Frank's office nor Conley watching at the factory door.

He testified that he saw Conley looking at the newspapers at the police station.

The State definitely announced Tuesday its theory that Frank deliberately premeditated and planned a criminal attack upon Mary Pragan Friday, April 25, the day before she came to the factory and was slain.

Frank A. Hooper, associated with Solicitor Dorsey in the prosecution, made the surprising announcement of the State's attitude during a heated argument over the admissibility of a portion of the testimony of one of the defense's witnesses, Miss Hattie Hall, stenographer at Montag Bros. and occasionally employed at the National Pencil Factory.

That the State was working upon the theory of premeditation was hinted by the questioning of Helen Ferguson several days ago but Attorney Hooper's address to the court was the first open declaration.

The court and chaingang record of C. B. Dalton, a State's witness against Frank, was given an airing by Attorney Arnold. Dalton was recalled to the stand and made to admit that he had been sent to the chaingang in

EXTRADITION OF ZACHRY IS DENIED

Executive's Action Comes as the Supreme Court Reverses Ruling Favoring Father.

The Supreme Court Tuesday reversed the decision of Judge Hammond, of Augusta, awarding the two Zachry children to the father, thereby further complicating the sensational case in which requisition papers by Governor Cole Blease for Zachry were refused by Governor Slaton Tuesday morning.

According to the ruling of the Supreme Court, the decision awarding the children to the father is reversed and remanded to Judge Hammond's court for further hearing. The ruling further specifies that Judge Hammond may exercise his discretion in awarding the custody of the children, which is contrary to the opinion rendered by Judge Hammond, who held previously that he was forced to a[illegible] the children to Zachry because of a previous judgment.

The effect of the ruling will be to put the whole matter back in the Augusta courts, with the possibility that Mrs. Zachry will be awarded the custody of the two children.

Governor Slaton based his refusal on the fact that no State law had been violated by Zachry in South Carolina and that the whole case was against the defendant grew out of the desire [illegible] Mrs. Zachry to obtain the custody of the two children.

One o[illegible] the most spectacular fights for the extradition of a citizen ever recorded in Georgia occurred in the Governor's offices Monday. Charges and counter charges were hurled in turn by counsel for the defense and for the State of South Carolina, and at one time a personal mix-up between Attorney Dunbar, representing Mrs. Zachry, and Attorney Phinizy, representing Mr. Zachry, who charged that the case had been prosecuted with all the "vindictiveness" that Mr. Dunbar could summon, was narrowly averted by the Governor.

Slaton Draws Line.

"You may wax just as enthusiastic as you like," said Governor Slaton to Mr. Phinizy, "but you can't say those things. That will not do here."

The hearing was as unique as it was spectacular. With the Governor sitting as both court and jury, attorneys for the defense and plaintiffs were allowed to argue their cases to their hearts' content with frequent interruptions by the Governor, who kept close tab on every bit of evidence offered.

In addition to the three attorneys for Zachry, Cohen and Phinizy, of Augusta, and West, of Thompson, E. D. Clary, Mayor of Harlem, the defendant's home town, testified in behalf of Zachry. Attorneys Rembert, of Columbia, S. C., and Dunbar, of Augusta, represented the State of South Carolina.

Mayor Clary, of Harlem, created a sensation when he testified that he had on one occasion pulled Mrs. Zachry and her mother off Zachry following an attack. Mrs. Zachry, he declared further, had said in his presence that if she did not get her children she would have to kill her husband.

Kidnaping Charge Irrelevant.

The climax of the hearing was reached, however, when the attorneys for Governor Blease virtually admitted to Governor Slaton that the charge of kidnaping, as incorporated in the requisition papers, was not [illegible] and that practically all that Mr. Zachry wanted was the custody of the two children.

In substantiation of the latter statement Governor Slaton referred to a letter which he himself had received from Mrs. Zachry, in which, he declared, it seemed that all that Mrs. Zachry wanted was the children.

This testimony of the Governor and the startling admission of Attorney Rembert representing Governor Blease, broke down the whole argument of the plaintiff and really marked the turning point in the hearing.

RACING RESULTS

AT SARATOGA.

FIRST—5½ furlongs: Pennant 102 (Wolfe), 4-1, 8-5, 4-5, won; Stromboli 107 (McTaggart), 7-10, 1-3, out, second; Surprising 110 (Davies), 4-1, even, 2-5, third. Time 105 4-5. Also ran: Pan American, Rost, Decoy, Florin, Trakemark, May Dora.

SECOND—Mile and one-tighth: Warhorn 108 (McTaggart), 4-5, 1-3, out, won; Fred Mulholland 105 (Butwell), even, out, second; Inspector Lestrade 105 (Rowley), 40-1, 8-1, 2-1, third. Time 1:52 4-5. Also ran: Creme de Menthe, Breaker Boy.

THIRD—Seven furlongs: Ella Bryson -06 (McTaggart), 3-1, even, 2-5, won; Genesta 102 (Wolf), 9-5, 7-10, 1-4, second; Palanquin 112 (Karrick), 5-2, 4-5, 2-5, third. Time, 1:25 4-5. Also ran: Judge Walser, Grover Hughes, Brookfield.

FOURTH—Mile: Reybourn 92 (McTaggart), 8, 7-5, out, won; Ten Point 122 (Loftus), 2-5, out, second; Night Stick 105 (Ambrose), 5, 4-5, out, third. Tim,e 1:37. Also ran: Cliff Edge.

AT FORT ERIE.

FIRST—5 furlongs: Patience 104 (Montour), 11-5, even, 1-2, won; Manners 112 (Obert), 5-1, 2-1, even, second; Zodiac 100 (Callahan), 10-1, 4-1, 2-1, third. Time 1:03 2-5. Also ran: Lady Isle, Woodrow, Behest, Highpriest, Buzz Around, Indolence, Grandness.

SECOND — Mile: Crystiawoga 100 (Obert), 9-1, 3-1, even, won; Capersauce 108 (Small), 18-5, 7-5, out, second; Rockspring 108 (Buxton), 13-5, 4-5, out, third. Time 1:43. Also ran: Havrock, Ondramon.

THIRD—Distance not given: Ennis Killen 165 (Bowser), 4-5, 1-4, out, won; Guncotton 154 (Dupee), 3, 7-10, out, second; Luckola 147 (Cassidy), 9-2, 7-5, out, third. Time, 3:57 3-5. Also ran: Melos.

ENTRIES ON PAGE 11.

LATEST NEWS

LONDON, Aug. 12.—The shadow of another war in the Balkans hangs over Europe. Sir Edward Grey, British Foreign Minister, announced in the House of Commons to-day that if Turkey refuses to give up Adrianople at the insistence of Bulgaria, the powers will not be able to divert the consequences, "no matter what their character."

WASHINGTON, April 12.—The direct overture of the United States to the Huerta administration—the tender of American aid in the effort to restore peace in Mexico—is expected to be transmitted by Envoy Lind to the Mexican national palace within a few hours.

MILWAUKEE, WIS., Aug. 12. There will be no formal organization of a National Council of Catholic Women at the convention of the American Federation of Catholics this year. This was practically determined this forenoon at the preliminary meeting of the women called to plan the perfecting of such a council.

LOUISVILLE, KY., Aug. 12.—The Ohio River is at the lowest stage in years as a result of the drouth, and coal shipments have suspended. Three million bushels of coal due for shipment south are tied up at Pittsburg.

SAN FRANCISCO, Aug. 12.—Eleanor Fay, who says Louis R. Glavis, of Ballinger case fame, is her fiance, tried to end her life by swallowing carbolic acid while on a ferry boat plying the bay. She asserted she was to wed Glavis soon.

I. T. U. Officers May Serve Indefinitely

NASHVILLE, TENN., Aug. 12.—President Lynch, of the International Typographical Union, won another victory at the annual convention, of the order to-day when the delegates sustained by an overwhelming vote the recommendation of the committee on laws that reported unfavorably on the proposition to make officers of the International Union ineligible to serve for more than two years. This proposition by Delegate Beadle, of Tacoma, Wash., was aimed particularly at President Lynch.

AMERICAN ASSOCIATION.

FIRST GAME.

Milwaukee-Louisville, no game, wet grounds.

FIRST GAME.

Score:		R.	H.	E.
St. Paul	013 000 010	5	12	4
Indianapolis	100 007 000	1	4	3

Walker and James; Burk, Norton and Casey. Umpires, Chill and Irwin.

THE WEATHER.

Forecast for Atlanta and Georgia—Fair Tuesday and Wednesday.

AUTO TOUR IS LAUDED BY SLATON

Calls Hearst's Sunday American Pathfinding Trip to Pacific a Sign of Progress.

Declaring that the promotion of good roads and cross-country highways, such as the proposed transcontinental route from Atlanta to San Francisco, was the best evidence of the progress of the people, Governor John M. Slaton Tuesday placed his stamp of approval on the campaign of Hearst's Sunday American to "pathfind" an all-Southern coast-to-coast route, which will be inaugurated next Monday.

The Governor declared emphatically that the promotion of a project of this kind meant not only a bigger and better Georgia but a more prosperous Southland through the closer communication of the people of different States by means of good roads.

"No better evidence of the progress of a people can be had," said Governor Slaton, "than promotions of this sort for better road and highway facilities. Obviously better roads within a State bring the people into closer communication with each other and this makes for increased interchange of both trade and mind products.

Chance to Make Friends.

"Of course there is much larger significance in this project which contemplates a highway from our city through the rich and prosperous Southland all the way to the rich Pacific Coast. Such a highway will afford the people of different States the opportunity to become better acquainted with each other, and, surely, no one can question that this can only be highly beneficial to all concerned. It is especially needed in the South with its wonderful resources, much of which has as yet been barely touched in development.

"I can see no reason why this project inaugurated by The Sunday American should not go through as planned. Just such things were done by the ancient Romans—witness the great highways which stretched out in all directions from ancient Rome, making it the very hub of the world. Surely we can do as much if not more."

Practically every plan for the inauguration of the monster campaign is complete. "Pathfinder" Ferguson has had scarcely a minute of rest since arriving in Atlanta Saturday, for he is leaving out not one detail of the big trip.

Reception Pleases Trail Blazer.

He stated Tuesday that he was much pleased with the reception accorded him since arriving in Atlanta, and would leave the city next Monday with deep regret if it were not for the fact that he is engaged in a campaign which means so much not only for Atlanta, but for Georgia and the South.

The official start from Atlanta next Monday will be featured by a great parade strictly in keeping with the monster campaign which is being inaugurated. Among those who will have a place in the parade will be the Fifth Regiment Band, which will head the procession: a big Alco truck, Chief of Police Beavers in his automobile, Chief Cummings of the fire department, other public officials, including Mayor Woodward and members of the Council, in specially decorated automobiles; scores of automobiles and motorcycles that have participated in the races at the Drome.

Great Auto Parade Planned.

If indications apparent one week before the inauguration of the big campaign amount to anything, Atlanta will witness on next Monday one of the biggest motor parades ever pulled off in the city.

Mr. Ferguson, accompanied by his wife and two children and a local newspaper man, will go direct to Birmingham, the first official stopping place. From Birmingham the party will proceed to Montgomery; thence to New Orleans, Houston, Dallas, Fort Worth, Tucson, San Diego, Los Angeles and San Francisco.

SMITH MEN SCORE 5 IN SECOND

Crackers Jump on Hardgrove and Pound Him From Box; Dent Faces Barons.

Score by innings:

ATLANTA	150 0
BIRMINGHAM	000 0

THE BATTING ORDER.

Agler, 1b.	Marcan, 2b
Long, lf.	Messenger, rf
Welchonce, cf.	McBride, lf
Smith, 2b.	Kniseley, cf
Bisland, ss.	Mayer, c
Holland, 3b.	McGilvray 1b
Holtz, rf.	Ellam, ss
Chapman, c.	Carroll, 3b
Dent, p.	Hardgrove, p

RICKROOD PARK, BIRMINGHAM, ALA., Aug. 12.—Billy Smith's warriors jumped on Hardgrove in the first and second innings and amassed a lead of six runs over the Barons. He was replaced by Gregory in the third inning.

Elliott Dent was on the hurling hill for the visitors and was strong in the early session.

FIRST INNING.

Agler out, Ellam to McGilvray. Long out over the same route. Welchonce beat out a bunt. Smith doubled to right scoring Welchonce. Bisland popped to McGilvray. TWO HITS, ONE RUN.

Marcan walked and was out stealing, Chapman to Smith. Messenger flied to Welchonce. McBride popped to Holland. NO HITS, NO RUNS.

SECOND INNING.

Holland singled to left. Holtz popped to McGilvray. Chapman walked. Dent singled to right scoring Holland, Chapman went to third. Agler hit by pitched ball. Long walked, forcing in Chapman. Welchonce singled to left scoring Dent and Agler. Smith flied to McBride. Long scored after the catch. Bisland out, Marcan to McGilvray. THREE HITS, FIVE RUNS.

Kniseley popped to Bisland. Mayer flied to Long. McGilvray out, Smith to Agler. NO HITS, NO RUNS.

THIRD INNING.

Gregory relieved Hardgrove. Holland singled to center. Holtz hit into a double play, McGilvray to Ellam to McGilvray. Chapman out, Ellam to McGilvray. ONE HIT, NO RUNS.

Ellam out, Bisland to Agler. Carroll singled to center. Gregory out, Smith to Agler. Marcan out, Agler to Dent. ONE HIT, NO RUNS.

FOURTH INNING.

Dent popped to Marcan. Agler popped to Carroll. Long out, Marcan to McGilvray. NO HITS, NO RUNS.

Messenger popped to Chapman. McBride flied to Holtz. Kniseley fanned. NO HITS, NO RUNS.

CAROLINA LEAGUE.

FIRST GAME.

Score:		R.	H.	E.
Charlotte	040 003 001	8	17	2
Raleigh	000 001 000	1	8	1

Jarman and Lidgate; Fahrer and McPherson. Umpire, McBride.

Portsmouth-Newport News, rain.

Richmond Petersburg, rain.

EMPIRE LEAGUE.

AT WAYCROSS—

BRUNSWICK—	1.. ... ... -
WAYCROSS—	0.. ... ... -

Faircloth and Coveney; Hartner and Pierre. Umpire, Derrick.

AT AMERICUS—

CORDELE—	000 0.. ... -
AMERICUS—	200 0.. ... -

Hall and Bowdon; Dacy and Manchester. Umpire, Gentle.

AT THOMASVILLE—

VALDOSTA—	0.. ... ... -
THOMASVILLE—	1.. ... ... -

Zellers and Wiset Day and Dudley.

SOUTH ATLANTIC LEAGUE.

AT CHARLESTON—

MACON—	001 ... ... -
CHARLESTON—	000 ... ... -

Smith and Berger; Winchell and Menefee. Umpire, Moran.

AT JACKSONVILLE—

SAVANNAH—	01. ... ... -
JACKSONVILLE—	00. ... ... -

Robertson and Geibel; Burmeister and Krebs. Umpire, Barr.

SOUTHERN LEAGUE

AT MOBILE

MONTGOMERY	20. ... ... -
MOBILE	20. ... ... -

AT NASHVILLE—

CHATTANOOGA	1.. ... ... -
NASHVILLE	0.. ... ... -

AT MONTGOMERY—

MEMPHIS	0.. ... ... -
NEW ORLEANS	0.. ... ... -

Kissinger and Seabough; Glavinich and Yantz. Umpires, Pfenninger and Stockdale.

AMERICAN LEAGUE

AT PHILADELPHIA—

CHICAGO	010 000 2.. -
PHILADELPHIA	000 000 1.. -

Scott and Kuhn; Brown and Lapp. Umpires, Connelly and Ferguson.

AT NEW YORK—

ST. LOUIS	100 204 0.. -
NEW YORK	100 000 0.. -

Mitchell and Alexander; Schulz and Sweeney. Umpires, O'Loughlin and Sheridan.

Cleveland-Washington, no game; rain.

Other games not scheduled.

NATIONAL LEAGUE

AT PITTSBURG—

CINCINNATI	200 000 0.. -
PITTSBURG	400 100 0.. -

Brown, Packard and Clarke; McQuillen and Gibson. Umpires, Brennan and Eason.

AT BROOKLYN—

NEW YORK	100 003 ... -
BROOKLYN	201 100 ... -

Demaree and McLean; Walker and Fischer. Umpires, O'Day and Quigley.

AT BOSTON— FIRST GAME.

		R.	H.	E.
CHICAGO	100 200 000	3	5	3
BOSTON	000 034 00	7	10	4

Cheney, Moore and Archer and Bresnahan; Dickson, Perdue and Rariden. Umpires, Klem and Orth.

SECOND GAME.

CHICAGO	100 00. ... -
BOSTON	110 23. ... -

Stack and Bresnahan; Hess and Whaling. Umpires, Klem and Orth.

Other games not scheduled.

SULZER BATTLES IMPEACHMENT PROCEEDINGS

ALBANY, N. Y., Aug. 12.—At 3:15 p. m. the Assembly took a recess until 8:30 to-night. The majority to pass the impeachment resolution is still lacking, but the anti-Sulzer leaders expect to have the members rounded up to-night.

ALBANY, N. Y., Aug. 12.—Governor William Sulzer's political life hangs in the balance to-day. Faced by a hostile Legislature, Governor Sulzer, with his back to the wall, fought with more vigor than he had pressed into any other contest in his long political career.

Before the Assembly convened to vote on the resolution that Sulzer should be impeached for "high crimes and misdemeanors" for the alleged private use of political funds and speculation in Wall Street, opponents of the Governor claimed to have enough votes to pass the resolution.

At least five of the judges of the Court of Appeals must participate in the impeachment trial, and supporters of Governor Sulzer rely upon the judicial rather than the legislative action of the proposed court of impeachment for a favorable decision in the involved case.

The resolution of impeachment, whose formulation is based on findings of the Frawley legislative committee, was introduced in the Assembly at 12:15 a. m., when 101 of the 150 members were present, but it was predicted that close to a full attendance would be on hand to-day. Democrats opposed to Governor Sulzer appointed committees to see that every member was in his seat.

INTERNATIONAL LEAGUE.

FIRST GAME.

Montreal-Baltimore, no game, wet grounds.

FIRST GAME.

Score:		R.	H.	E.
Rochester	000 100 000	1	6	1
Newark	000 200 00x	2	5	1

Keefe and Jacklitsch; Barger and Higgins. Umpires, Mullen and Kelly.

SECOND GAME.

Montreal-Baltimore, no game, wet grounds.

PLAN 16 STORIES ON BROWN AND ALLEN SITE

Dr. E. L. Connally and associates will soon start the construction of a sixteen-story office building on the site of Brown & Allen's drug store, southeast corner of Whitehall and Alabama streets, if plans which are under way are consummated. Announcement was made unofficially at noon Tuesday that Dr. Connally has been in consultation with W. L. Stoddart of New York and Atlanta, and other architects, from whom he has received tentative plans.

In fact, an engineer representing a local architect surveyed the ground last week and made measurements of the stores in the building. Dr. Connally could not be reached for an expression as to his plans, and his son, Thomas W. Connally, refused to be quoted.

Such a move has been in contemplation for several years. Two years ago Dr. Connally had an architect sketch a twenty-story building, and since then he has had more or less definite intentions to erect a building that will be a credit to the section and to the city.

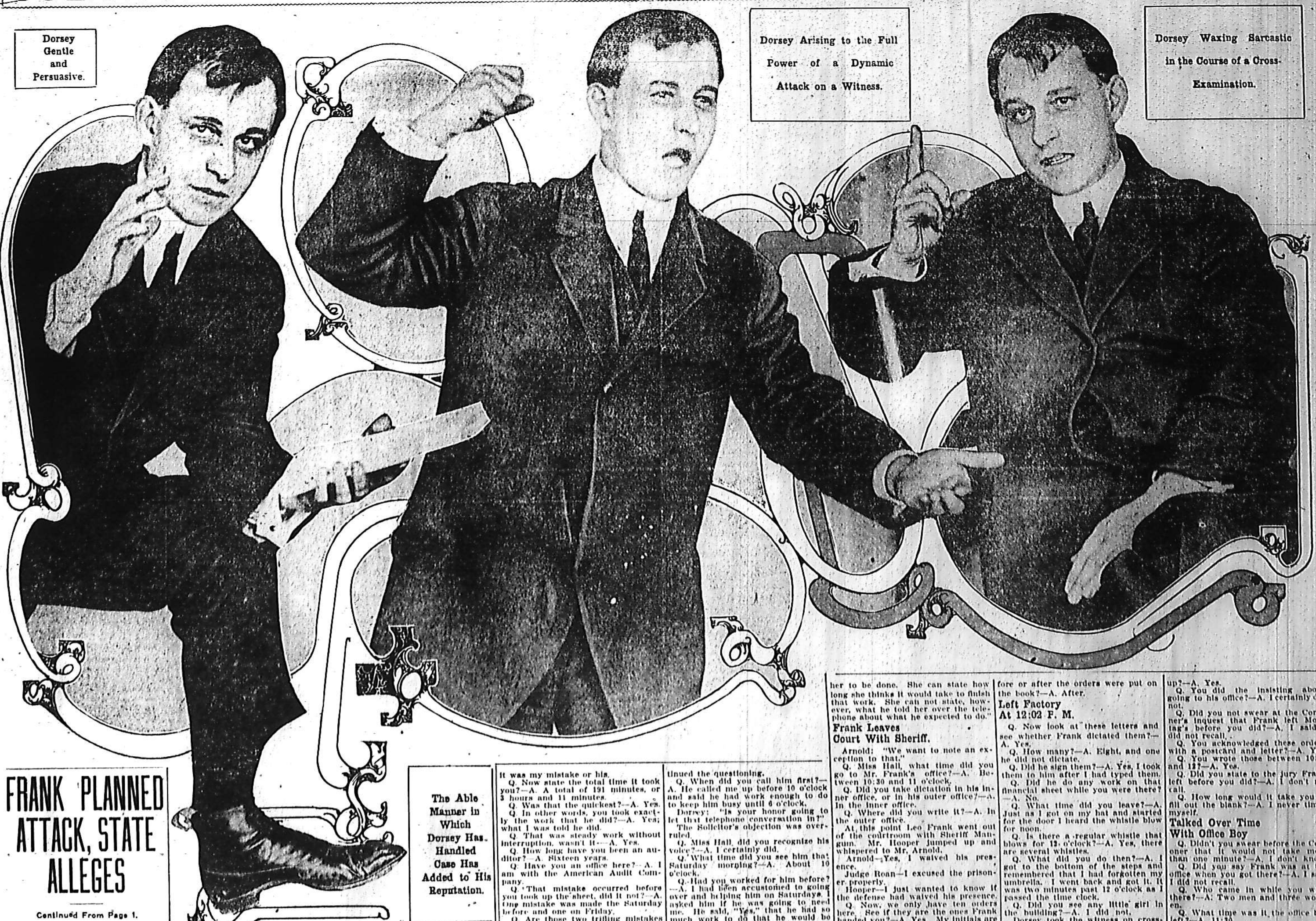
The structure which Dr. Connally is planning will cost probably $750,000, and will be a distinct addition to the line of attractive buildings on Whitehall. It will probably be known as the Connally Building, after its builder, who likewise erected the old structure.

The present building is 30 years old and it must soon be repaired or torn down. About a year ago a brick wall was placed in the center. The structure is three stories and of brick.

The lot is about 90 feet square, and a sixteen-story office building would give 129,600 square feet of floor space. Frontage near this point seldom changes hands, but is estimated to be worth from $7,500 to $10,000 in a transaction with no exchange elements, or $675,000 to $900,000.

Brown & Allen now pay $1,000 a month for the conre, it was declared.

SOLICITOR HUGH DORSEY GRILLING WITNESSES IN FRANK CASE



Dorsey Gentle and Persuasive.

Dorsey Arising to the Full Power of a Dynamic Attack on a Witness.

Dorsey Waxing Sarcastic in the Course of a Cross-Examination.

The Able Manner in Which Dorsey Has Handled Case Has Added to His Reputation.

FRANK PLANNED ATTACK, STATE ALLEGES

Continued From Page 1.

1894 on three separate counts for stealing in Walton County.

Dalton also admitted that he had been indicted in 1899 in Walton County for theft and had paid a fine of $141.46.

Attorney Arnold showed the witness copies of four indictments and asked if he knew these had been issued against him in Walton County for selling liquor to Don Tillman and Bob Harris. Dalton denied all knowledge of the indictments.

Witnesses Assail Dalton's Character.

As soon as Dalton left the stand V. S. Cooper, J. H. Patrick, W. T. Mitchell and I. M. Patrick, all residents of Walton County, were called to the stand and testified that they knew Dalton and that they wouldn't believe him on oath in a court of justice.

Misses Laura Atkinson and Minnie Smith were called and denied Walton's testimony in regard to being in their company.

Dalton testified, when he was called by the State last week, that he had visited the factory basement with Miss Daisy Hopkins and that he frequently had seen Frank in his office with women.

An unassailable alibi was the object in view when the attorneys for Frank began the questioning of a long line of witnesses who were called to testify in regard to every known movement of Frank Saturday, April 26, the day that Mary Phagan was slain.

The testimony of Miss Hattie Hall was the first along this line. That of Alonzo Mann, office boy, was next.

That Frank did not do any work on the financial sheet Saturday forenoon was one of the most important declarations made by Miss Hall. She had testified at the Coroner's inquest that she assisted Frank in compiling this sheet, but she explained to Solicitor Dorsey that she was mistaken, and it was only one of the tabulations from which the financial sheet was being made that she had worked on.

Her testimony on this point strikes at the State's theory that Frank did the work in the forenoon.

Miss Hall also testified that Frank signified his desire to have her work for him at the factory in the afternoon and had asked Harry Gottheimer to come back to the factory in the afternoon, requests which the defense will claim establish conclusively that Frank was not arranging for the commission of any crime or wrongdoing Saturday afternoon.

The witness said that she left the factory first at 12 o'clock as the whistles were blowing, but that she forgot her umbrella and returned to Frank's office for it, noting that it was 12:02 as she left finally. She declared that she did not see Lemmie Quinn enter Frank's office. Conley testified that he saw Quinn enter the factory before the arrival of Monteen Stover or Mary Phagan. The Stover girl said she reached the office floor at 12:05 o'clock.

Miss Hall indignantly denied the imputation of Solicitor Dorsey that her salary had been raised as the result of the testimony she was giving. She said that it had been agreed when she entered the employ of Montag Bros. that she was to get an increase of salary August 1, and that she had been unable to get it before this time.

Wade Campbell, an inspector at the factory, came in for a rigorous grilling at the hands of Solicitor Dorsey. Campbell testified that his sister, Mrs. Arthur White, had told him she had seen a negro at the foot of the stairs on the first floor when she went into the factory at 12:30 o'clock.

Campbell Grilled On Affidavit.

"Don't you know that what she actually said was that she saw the negro at 12:50 when she left?" inquired the Solicitor.

Campbell denied that this was so. The Solicitor then showed Campbell an affidavit and asked if it was not his signature at the bottom. Campbell said that it looked like his writing, but that he would not say positively. He denied that he had made the statement in the affidavit in which he was quoted as saying his sister had told of seeing the negro as she left the factory.

The witness on his redirect examination testified that he had seen Conley reading in the factory several times after the crime. Conley said on the stand that he was unable to read, except for a few simple words.

C. E. Pollard, an expert accountant, was the first witness called. He began to testify as to the time required to make out the finance sheet. Attorney Rosser said that the defense probably would conclude its expert testimony with Mr. Pollard, and that Miss Hattie Hall, stenographer for Montag Brothers, would be the next witness.

Pollard testified that the minimum time in which Frank could have compiled the finance sheet was three hours and eleven minutes. This bore out the testimony of Herbert Schiff, Frank's co-worker, and Joel Hunter, expert accountant.

Over Three Hours To Compile Report.

Q. What is your business?—A. Certified public accountant.

Q. Have you had occasion to go over the financial sheet of the National Pencil Company of the week of April 24 prepared by Leo M. Frank?—A. I went over a copy of it.

Q. Have you also seen the factory record called the pencil sheet?—A. Yes.

Q. Were you also furnished data necessary to make that sheet?—A. Yes.

Q. I will get you to state as an expert how long it would take to complete it?—A. I took each sheet, compiled it, and timed myself as to the length of time necessary. I prepared the sheet of the 24th day. It took me ten minutes.

Q. Were there any mistakes?—A. Yes, a little one—of one and one-half gross. It was hard to say whether it was my mistake or his.

Q. Now state the total time it took you?—A. A total of 191 minutes, or 3 hours and 11 minutes.

Q. Was that the quickest?—A. Yes.

Q. In other words, you took exactly the work that he did?—A. Yes; what I was told he did.

Q. That was steady work without interruption, wasn't it?—A. Yes.

Q. How long have you been an auditor?—A. Sixteen years.

Q. Have you an office here?—A. I am with the American Audit Company.

Q. That mistake occurred before you took up the sheet, did it not?—A. One mistake was made the Saturday before and one on Friday.

Q. Are those two trifling mistakes—a mistake of 50 cents and a gross and a half of pencils—the only mistakes you found?—A. Yes.

Attorney Hooper took the witness on cross-examination.

Q. Mr. Pollard, this is rather an unusual assignment for you, is it not, to go over a man's business and undertake to state how long it takes him to do it?—A. No, I think not. Frequently we are called on to estimate the time it takes to do work in changing systems.

Q. Is it not true that a man can work his own books better than anyone else's books?—A. Yes.

Mr. Arnold took the witness.

Q. How many times would a man have to multiply, divide and subtract in making up that sheet?—A. Well, 40 multiplications and 160 additions, and I can't guess on the rest.

Aimed to Show Conduct.

The witness was excused and Miss Hattie Hall was called. She was questioned by Attorney Arnold.

Q. What is your business?—A. Stenographer-bookkeeper at Montag Brothers.

Q. Do you ever go to the National Pencil Company?—A. When necessary.

Q. On Saturday, April 26, did you see Leo M. Frank?—A. About 10 o'clock at Montag Brothers.

Q. Did he say anything?—A. Yes, he asked me if I could come over and do some work. I told him I didn't know, but thought I could.

Dorsey interrupted:

"I object to anything he said to her."

Arnold: "Your honor, it is part of res gestis in this case."

Dorsey: "Here is this dead girl. They would not let her show what she said at 12 o'clock and I can conceive of no principle of law that would let them show what this man said and not let her show what the deceased said."

Arnold: "This is merely to show a course of conduct."

Judge Roan: "I can see no analogy between the two cases. I rather think you can ask the question."

Dorsey: "Well, this is a very important point, your honor, and we would like to give you some authorities."

Judge Roan: "All right."

Dorsey then read at length from the Eighty-fourth Georgia Report.

Judge Roan: "Do you expect to follow that question by showing that he had certain work to do and engaged her to do it?"

Arnold: "Yes."

Judge Roan: "Then I will let you ask it."

Dorsey threw his book on the table and sat down, laughing. Arnold continued the questioning.

Q. When did you call him first?—A. He called me up before 10 o'clock and said he had work enough to do to keep him busy until 6 o'clock.

Dorsey: "Is your honor going to let that telephone conversation in?"

The Solicitor's objection was overruled.

Q. Miss Hall, did you recognize his voice?—A. I certainly did.

Q. What time did you see him that Saturday morning?—A. About 10 o'clock.

Q. Had you worked for him before?—A. I had been accustomed to going over and helping him on Saturdays. I asked him if he was going to need me. He said, "Yes," that he had so much work to do that he would be busy until 6 o'clock.

Dorsey Calls Halt; Roan Sustains Him.

Dorsey interrupted. "You honor, are you going to let that in?"

Judge Roan: "I don't think I will."

Arnold: "Your honor, I wish you would let me argue for a moment. Even the State does not claim any crime was committed at that time. There is no reason in the world to suppose that the accused would not have told the truth at that time. I believe that if a part of the conversation is admissible, all of it is admissible. You must admit it all to explain part. You would do this young man an injustice to shut out this evidence of this day's program, when there was not the slightest motive to be otherwise than truthful."

"Mr. Dorsey has sought to show," continued Mr. Arnold, "that this financial sheet could have been made up in the morning. We are just trying to show that it was impossible. Now I will read you a decision in which I participated with the father of my good friend, the late Judge Dorsey. It was 24 years ago."

Rosser: "Are you that old, Mr. Arnold?"

Arnold: "Yes, I am 24."

"Dorsey: "That case has nothing to do with this one. That was a case where a man on trial for murder swore to a lie."

Arnold: "It was charged that it was a lie. We never did believe it."

Dorsey: "He was convicted."

Arnold: "Yes, he was convicted."

Judge Roan ruled: "Mr. Arnold, this young woman can show that she was called, what she was requested to do, and what was shown her to be done. She can state how long she thinks it would take to finish that work. She can not state, however, what he told her over the telephone about what he expected to do."

Frank Leaves Court With Sheriff.

Arnold: "We want to note an exception to that."

Q. Miss Hall, what time did you go to Mr. Frank's office?—A. Between 10:30 and 11 o'clock.

Q. Did you take dictation in his inner office, or in his outer office?—A. In the inner office.

Q. Where did you write it?—A. In the outer office.

At this point Leo Frank went out of the courtroom with Sheriff Mangum. Mr. Hooper jumped up and whispered to Mr. Arnold.

Arnold—Yes, I waived his presence.

Judge Roan—I excused the prisoner properly.

Hooper—I just wanted to know if the defense had waived his presence.

Q. Now, we only have ten orders here. See if they are the ones Frank handed you?—A. Yes. My initials are on them. They are the ones.

Q. Now, the orders are sometimes acknowledged as the first step?—A. Yes; in that case they were.

Q. Do you recall to whom Frank was talking that morning?—A. Yes, but I don't recall the names. A man and his son came in. Then there was Miss Corinthia Hall and Mrs. White.

Q. Do you recall what any of them said?—Yes; Mrs. White said she wanted to see her husband.

Q. During this time was Mr. Frank working on this financial sheet or any other similar document?—A. He was not.

Q. Are you familiar with his handwriting?—A. Not very.

Q. I will get you to look on this order book and see if those orders are entered.

The wintess read the eleven orders from the order book.

Q. Now, is that your handwriting?—A. No; I think it is Mr. Frank's.

Q. Did you write any of these requisitions?—A. No.

Q. Do you know who did?—A. I understood Mr. Frank did.

Q. Were the requisitions made before or after the orders were put on the book?—A. After.

Left Factory At 12:02 P. M.

Q. Now look at these letters and see whether Frank dictated them?—A. Yes.

Q. How many?—A. Eight, and one he did not dictate.

Q. Did he sign them?—A. Yes, I took them to him after I had typed them.

Q. Did he do any work on that financial sheet while you were there?—A. No.

Q. What time did you leave?—A. Just as I got on my hat and started for the door I heard the whistle blow for noon.

Q. Is there a regular whistle that blows for 12 o'clock?—A. Yes, there are several whistles.

Q. What did you do then?—A. I got to the bottom of the steps and remembered that I had forgotten my umbrella. I went back and got it. It was two minutes past 12 o'clock as I passed the time clock.

Q. Did you see any little girl in the building?—A. I did not.

Dorsey took the witness on cross-examination.

Q. Did you call Frank or Frank call you that Saturday morning?—A. I called him.

Q. He had a regular stenographer, didn't he?—A. They had a stenographer, but she didn't do but about one-third enough work, so I had to go.

Q. Miss Hall, what were you receiving at that time?—A. Ten dollars and fifty cents a week.

Q. What are you getting now?—A. Fifteen dollars a week, and I want to explain——

Q. Never mind, just answer my questions. Didn't you state in a soda fountain last night that the raise came to you without asking for it after it was known that you were to be a witness?—A. Indeed, I did not. I don't go to soda fountains. I want to explain.

Attorney Arnold—Let her explain.

A. I insisted that they give me this raise on July 1, but they wouldn't give it to me until August 1.

Q. Did Frank come to Montag's before or after he called you up?—A. After.

Q. You are the one who called him up?—A. Yes.

Q. You did the insisting about going to his office?—A. I certainly did not.

Q. Did you not swear at the Coroner's inquest that Frank left Montag's before you did?—A. I said I did not recall.

Q. You acknowledged these orders with a postcard and letter?—A. Yes.

Q. You wrote those between 10:30 and 12?—A. Yes.

Q. Did you state to the jury Frank left before you did?—A. I don't recall.

Q. How long would it take you to fill out the blank?—A. I never timed myself.

Talked Over Time With Office Boy

Q. Didn't you swear before the Coroner that it would not take more than one minute?—A. I don't know.

Q. Did you say Frank was at the office when you got there?—A. I said I did not recall.

Q. Who came in while you were there?—A. Two men and three women.

Q. What time was it the office boy left?—A. 11:30.

Q. Didn't you tell the Coroner you could not tell the time?—A. Yes.

Q. How do you know now?—A. The boy told me.

Q. You talked it over with him?—A. Yes.

Q. Where were you when those people came in?—A. In the outer office.

Q. How long were you there when these people came in?—A. I do not recall.

Q. Didn't you tell the Coroner it was fifteen minutes?—A. I don't remember.

Q. How long was it after those let-

Continued on Page 4, Column 1.

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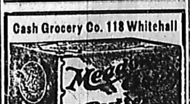

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HOME EDITION

STATE CHARGES PREMEDITATED CRIME

Defense Forces Dalton to Admit Jail Record

EXTRADITION OF ZACHRY IS DENIED

Executive's Action Comes as the Supreme Court Reverses Ruling Favoring Father.

The Supreme Court Tuesday reversed the decision of Judge Hammond, of Augusta, awarding the two Zachry children to the father, thereby further complicating the sensational case in which requisition papers by Governor Cole Blease for Zachry were refused by Governor Slaton Tuesday morning.

According to the ruling of the Supreme Court, the decision awarding the children to the father is reversed and remanded to Judge Hammond's court for further hearing. The ruling further specifies that Judge Hammond may exercise his discretion in awarding the custody of the children, which is contrary to the opinion rendered by Judge Hammond, who held previously that he was forced to award the children to Zachry because of a previous judgment.

The effect of the ruling will be to put the whole matter back in the Augusta courts, with the possibility that Mrs. Zachry will be awarded the custody of the two children.

Governor Slaton based his refusal on the fact that no State law had been violated by Zachry in South Carolina and that the whole case was against the defendant grew out of the desire of Mrs. Zachry to obtain the custody of the two children.

One of the most spectacular fights for the extradition of a citizen ever recorded in Georgia occurred in the Governor's offices Monday. Charges and counter charges were hurled in turn by counsel for the defense and for the State of South Carolina, and at one time a personal mix-up between Attorney Dunbar, representing Mrs. Zachry, and Attorney Phinizy, representing Mr. Zachry, who charged that the case had been prosecuted with all the "vindictiveness" that Mr. Dunbar could summon, was narrowly averted by the Governor.

Slaton Draws Line.

"You may wax just as enthusiastic as you like," said Governor Slaton to Mr. Phinizy, "but you can't say those things. That will not do here."

The hearing was as unique as it was spectacular. With the Governor sitting as both court and jury, attorneys for the defense and plaintiffs were allowed to argue their cases to their hearts' content with frequent interruptions by the Governor, who kept close tab on every bit of evidence offered.

In addition to the three attorneys for Zachry, Cohen and Phinizy, of Augusta, and West, of Thompson, E. D. Clary, Mayor of Harlem, the defendant's home town, testified in behalf of Zachry. Attorneys Rembert, of Columbia, S. C., and Dunbar, of Augusta, represented the State of South Carolina.

Mayor Clary, of Harlem, created a sensation when he testified that he had on one occasion pulled Mrs. Zachry and her mother off Zachry following an attack. Mrs. Zachry, he declared further, had said in his presence that if she did not get her children she would have to kill her husband.

Kidnaping Charge Irrelevant.

The climax of the hearing was reached, however, when the attorneys for Governor Blease virtually admitted to Governor Slaton that the charge of kidnaping, as incorporated in the requisition papers, was not relevant and that practically all that Mrs. Zachry wanted was the custody of the two children.

In substantiation of the latter statement Governor Slaton referred to a letter which he himself had received from Mrs. Zachry, in which, he declared, it seemed that all that Mrs. Zachry wanted was the children.

This testimony of the Governor and the startling admission of Attorney Rembert, representing Governor Blease, broke down the whole argument of the plaintiff and really marked the turning point in the hearing.

AUTO TOUR IS LAUDED BY SLATON

Calls Hearst's Sunday American Pathfinding Trip to Pacific a Sign of Progress.

Declaring that the promotion of good roads and cross-country highways, such as the proposed transcontinental route from Atlanta to San Francisco, was the best evidence of the progress of the people, Governor John M. Slaton Tuesday placed his stamp of approval on the campaign of Hearst's Sunday American to "pathfind" an all-Southern coast-to-coast route, which will be inaugurated next Monday.

The Governor declared emphatically that the promotion of a project of this kind meant not only a bigger and better Georgia but a more prosperous Southland through the closer communication of the people of different States by means of good roads.

"No better evidence of the progress of a people can be had," said Governor Slaton, "than promotions of this sort for better road and highway facilities. Obviously better roads within a State bring the people into closer communication with each other and this makes for increased interchange of both trade and mind products.

Chance to Make Friends.

"Of course there is much larger significance in this project which contemplates a highway from our city through the rich and prosperous Southland all the way to the rich Pacific Coast. Such a highway will afford the people of different States the opportunity to become better acquainted with each other, and, surely, no one can question that this can only be highly beneficial to all concerned. It is especially needed in the South with its wonderful resources, much of which has as yet been barely touched in development.

"I can see no reason why this project inaugurated by The Sunday American should not go through as planned. Just such things were done by the ancient Romans—witness the great highways which stretched out in all directions from ancient Rome, making it the very hub of the world. Surely we can do as much if not more."

Practically every plan for the inauguration of the monster campaign is complete. "Pathfinder" Ferguson has had scarcely a minute of rest since arriving in Atlanta Saturday, for he is leaving out not one detail of the big trip.

Reception Pleases Trail Blazer.

He stated Tuesday that he was much pleased with the reception accorded him since arriving in Atlanta, and would leave the city next Monday with deep regret if it were not for the fact that he is engaged in a campaign which means so much not only for Atlanta, but for Georgia and the South.

The official start from Atlanta next Monday will be featured by a great parade strictly in keeping with the monster campaign which is being inaugurated. Among those who will have a place in the parade will be the Fifth Regiment Band, which will head the procession; a big Alco truck, Chief of Police Beavers in his automobile, Chief Cummings of the fire department, other public officials, including Mayor Woodward and members of the Council, in specially decorated automobiles, scores of automobiles and motorcycles that have participated in the races at the Drome.

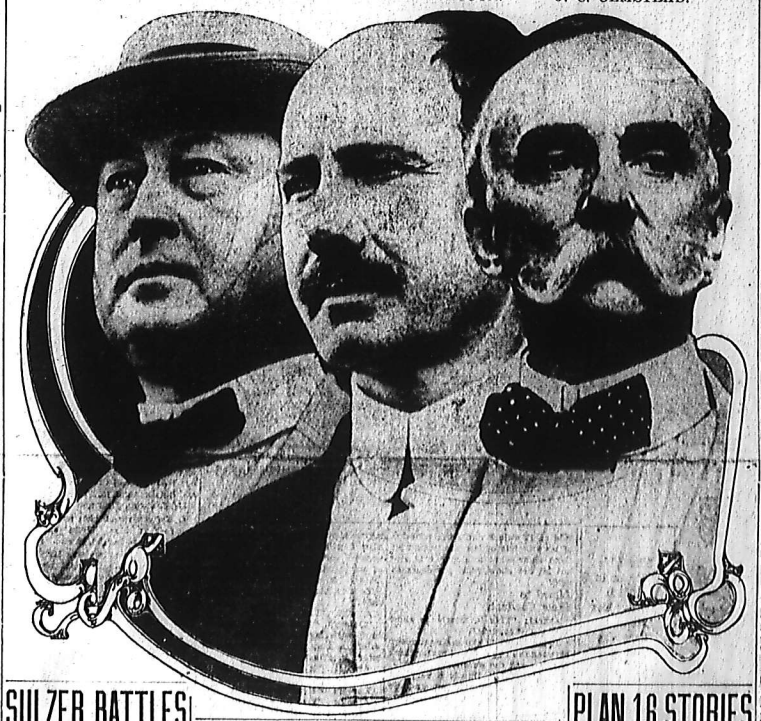
Great Auto Parade Planned.

If indications apparent one week before the inauguration of the big campaign amount to anything, Atlanta will witness on next Monday one of the biggest motor parades ever pulled off in the city.

Mr. Ferguson, accompanied by his wife and two children and a local newspaper man, will go direct to Birmingham, the first official stopping place. From Birmingham the party will proceed to Montgomery, thence to New Orleans, Houston, Dallas, Fort Worth, Tucson, San Diego, Los Angeles and San Francisco.

MEDICAL EXPERTS WHO TESTIFIED FOR DEFENSE IN THE FRANK TRIAL

WILLIS F. WESTMORELAND. T. H. HANCOCK. J. C. OLMSTEAD.



SULZER BATTLES IMPEACHMENT PROCEEDINGS

ALBANY, N. Y., Aug. 12.—Governor William Sulzer's political life hangs in the balance to-day. Faced by a hostile Legislature, Governor Sulzer, with his back to the wall, fought with more vigor than he had pressed into any other contest in his long political career.

Before the Assembly convened to vote on the resolution that Sulzer should be impeached for "high crimes and misdemeanors" for the alleged private use of political funds and speculation in Wall Street, opponents of the Governor claimed to have enough votes to pass the resolution.

At least five of the judges of the Court of Appeals must participate in the impeachment trial, and supporters of Governor Sulzer rely upon the judicial rather than the legislative action of the proposed court of impeachment for a favorable decision in the involved case.

The resolution of impeachment, whose formulation is based on findings of the Frawley legislative committee, was introduced in the Assembly at 12:15 a. m., when 101 of the 150 members were present, but it was predicted that close to a full attendance would be on hand to-day. Democrats opposed to Governor Sulzer appointed committees to see that every member was in his seat.

THE WEATHER.
Forecast for Atlanta and Georgia—Fair Tuesday and Wednesday.

Bill Providing Home For Wayward Girls Is Passed in House

The bill introduced in the House by Representatives Jones of Coweta and Mills of Butts County providing for a home for wayward girls to be called the "Georgia Industrial Home for Girls," carrying with it an appropriation of $30,000, was passed Tuesday after much discussion, by a vote of 115 to 46.

Twenty thousand dollars will be used as a building fund and the remaining $10,000 will be used as a maintenance fund. The bill met with bitter opposition by Fullbright of Burke County, who declared it was of no use, as the Senate would not act on the measure. The Speaker of the House informed the gentleman from Burke that he had received word from the President of the Senate that the Senate would consider it.

Shugrtine of Chatham made a motion to have the bill tabled. The motion was lost, 106 to 54. The bill also provides for a board of managers consisting of five members, two of which shall be women. Minor amendments to the bill were considered.

It All Depends on The Point of View

SAVANNAH, GA., Aug. 12.—Recorder John E. Schwartz fined Miss Beatie Carter $50 for appearing in the shopping district here in a short skirt and low-cut waist.

CLARKESBURG, W. VA., Aug. 12.—A young woman arrested for wearing an "expose gown" was discharged by the Mayor, who called her costume "becoming and artistic."

CHAMBER GIVES BANQUET.

W. H. Leahy, secretary of the Chamber of Commerce, announced Tuesday that the chamber will hold a banquet Wednesday night at the Hotel Ansley.

Chamberlain Fills Johnston's Place On War Committee

WASHINGTON, Aug. 12.—At a meeting of the steering committee of the Senate to-day Senator Chamberlain, of Oregon, was selected as chairman of the Military Affairs Committee to succeed the late Senator Johnston, of Alabama. Other appointments which will be recommended along with this were:

Senator Meyers, of Montana, chairman of the Committee on Public Lands; Senator Smith, of Arizona, chairman of the Committee on Irrigation, and Senator Vardaman, of Mississippi, chairman of the Committee on Conservation.

What Is It?

That talks to all,
But can not speak;
That can not walk,
But runs a week;
That has no life,
Yet travels miles,
And turns your frowns
To cheery smiles.

A 7-TIME GEORGIAN "WANT AD"

WHEN YOU WANT WHAT YOU WANT WHEN YOU WANT IT

PLAN 16 STORIES ON BROWN AND ALLEN SITE

Dr. E. L. Connally and associates will soon start the construction of a sixteen-story office building on the site of Brown & Allen's drug store, southeast corner of Whitehall and Alabama streets, if plans which are under way are consummated. Announcement was made unofficially at noon Tuesday that Dr. Connally has been in consultation with W. L. Stoddart of New York and Atlanta, and other architects, from whom he has received tentative plans.

In fact, an engineer representing a local architect surveyed the ground last week and made measurements of the stores in the building. Dr. Connally could not be reached for an expression as to his plans, and his son, Thomas W. Connally, refused to be quoted.

Such a move has been in contemplation for several years. Two years ago Dr. Connally had an architect sketch a twenty-story building, and since then he has had more or less definite intentions to erect a building that will be a credit to the section and to the city.

The structure which Dr. Connally is planning will cost probably $250,000, and will be a distinct addition to the line of attractive buildings on Whitehall. It will probably be known as the Connally building, after its builder, who likewise erected the old structure.

The present building is 30 years old and it must soon be repaired or torn down. About a year ago a brick wall was placed in the center. The structure is three stories and of brick.

The lot is about 90 feet square, and a sixteen-story office building would give 129,600 square feet of floor space. Frontage near this point seldom changes hands, but is estimated to be worth from $7,500 to $10,000 in a transaction with no exchange elements, or $675,000 to $900,000.

Brown & Allen now pay $1,000 a month for the corner. It was declared.

GIRL DENIES STATE'S VERSION OF FRANK'S WORK ON FATAL DAY

Here are the important developments Tuesday in the trial of Leo M. Frank, charged with the murder of Mary Phagan:

State announces its theory that Frank planned a criminal attack upon Mary Phagan the day before she came to the factory for her money.

The court and chaingang record of C. B. Dalton, the State's witness who testified that he had seen women in Frank's office, was shown up by the defense and admitted by Dalton.

Four acquaintances of Dalton testify that they would not believe him under oath and that his reputation for truth and veracity is bad.

C. E. Pollard, expert accountant, testifies that it required him three hours and eleven minutes to compile the financial sheet that the defense claims Frank prepared the afternoon of the murder.

Miss Hattie Hall, stenographer, says that Frank did no work on the financial sheet Saturday morning, the day of the crime.

Jim Conley's declaration that Lemmie Quinn came into the factory and left before the arrival of Monteen Stover, who came at 12:05 o'clock, is challenged by the testimony of Miss Hall, who swears Quinn did not enter the factory before she left at 12:02 o'clock.

State Announces Theory.

The State definitely announced Tuesday its theory that Frank deliberately premeditated and planned a criminal attack upon Mary Phagan Friday, April 26, the day before she came to the factory and was slain.

Frank A. Hooper, associated with Solicitor Dorsey in the prosecution, made the surprising announcement of the State's attitude during a heated argument over the admissibility of a portion of the testimony of one of the defense's witnesses, Miss Hattie Hall, stenographer at Montag Bros. and occasionally employed at the National Pencil Factory.

Dorsey and Hooper were objecting strenuously to the admission of a phone conversation between Frank and Miss Hall in which Frank was reported to have asked Miss Hall to come over to the pencil factory to assist in the clerical work, saying: "I've got so much work to do that it will take me until 6 o'clock to get it done."

Hooper, after the Solicitor had objected to the question on the ground that it was self-serving and proved nothing, declared that the conversation not only was self-serving, but was made in deliberate anticipation of Mary Phagan's visit to the factory in the afternoon.

"This remark was made on Saturday morning, the day after Mary Phagan's pay envelope was refused Helen Ferguson," said Mr. Hooper. "It was made in anticipation of her visit in the afternoon. It is the State's contention that Frank deliberately pre-arranged circumstances favorable to an attack upon the girl and incidents serving to divert any suspicion from himself."

That the State was working upon the theory of premeditation was hinted by the questioning of Helen Ferguson several days ago, but Attorney Hooper's address to the court was the first open declaration.

The court and chaingang record of C. B. Dalton, a State's witness against Frank, was given an airing by Attorney Arnold. Dalton was recalled to the stand and made to admit that he had been sent to the chaingang in 1894 on three separate counts for stealing in Walton County.

Dalton also admitted that he had been indicted in 1899 in Walton County for theft and had paid a fine of $141.44.

Attorney Arnold showed the witness copies of four indictments and asked if he knew these had been issued against him in Walton County for selling liquor to Don Tillman and Bob Harris. Dalton denied all knowledge of the indictments.

Witnesses Assail Dalton's Character.

As soon as Dalton left the stand V. S. Cooper, J. H. Patrick, W. T. Mitchell and I. M. Patrick, all residents of Walton County, were called to the stand and testified that they knew Dalton and that they wouldn't believe him on oath in a court of justice.

Misses Laura Atkinson and Minnie Smith were called and denied Walton's testimony in regard to being in their company.

Dalton claimed, when he was called by the State last week, that he had visited the factory basement with Miss Daisy Hopkins and that he frequently had seen Frank in his office with women.

An unassailable alibi was the object in view when the attorneys for Frank began the questioning of a long line of witnesses who were called to testify in regard to every known movement of Frank Saturday, April 26, the day that Mary Phagan was slain.

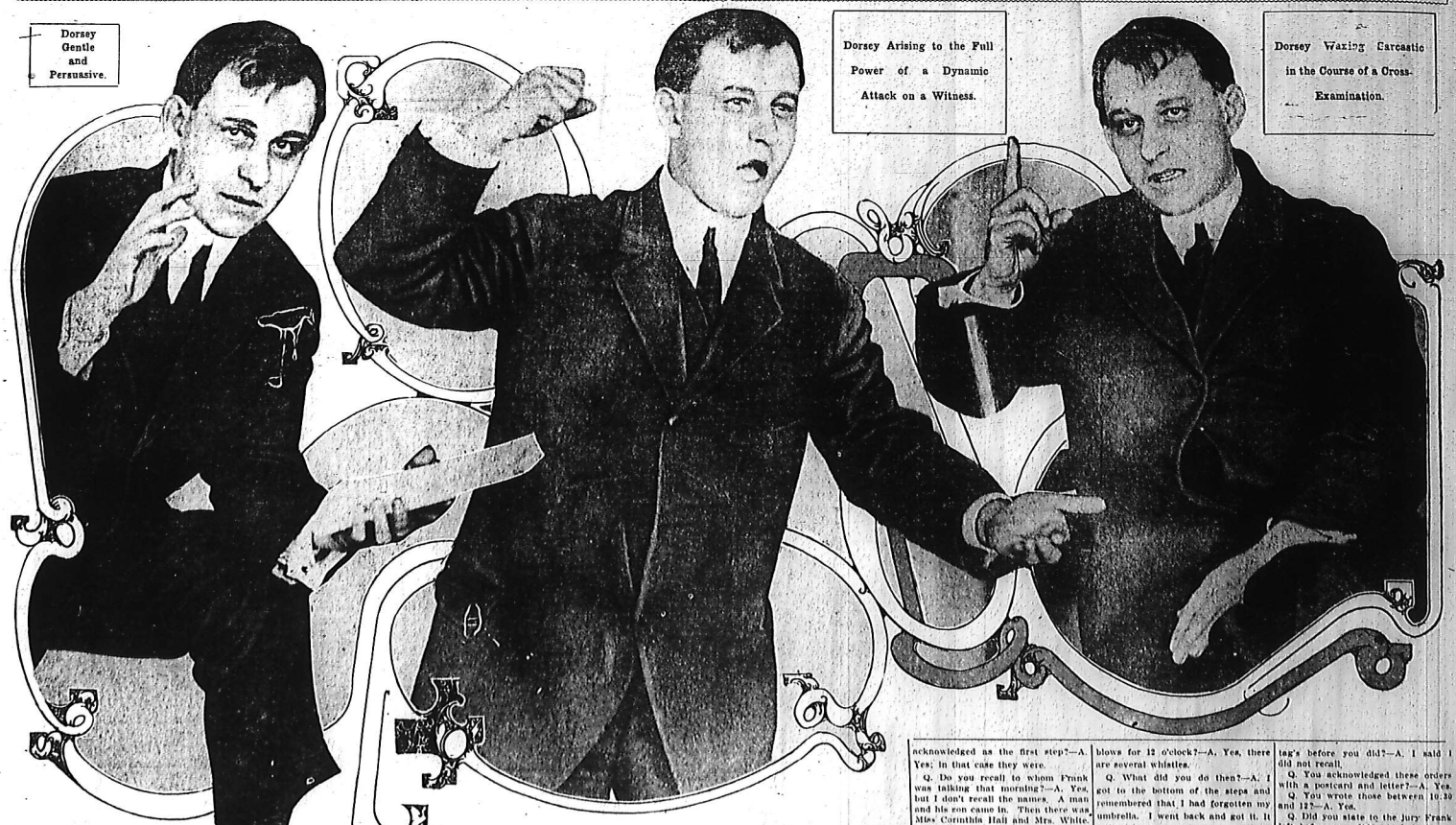
The testimony of Miss Hattie Hall was the first along this line. That of Alonzo Mann, office boy, was next.

That Frank did not do any work on the financial sheet Saturday forenoon was one of the most important declarations made by Miss Hall. She had testified at the Coroner's inquest that she assisted Frank in compiling this sheet, but she explained to Solicitor Dorsey that she was mistaken, and it was only one of the tabulations from which the financial sheet was being made that she had worked on.

Her testimony on this point strikes at the State's theory that Frank did the work in the forenoon.

Miss Hall also testified that Frank signified his desire to have her work

SOLICITOR HUGH DORSEY GRILLING WITNESSES IN FRANK CASE



Dorsey Gentle and Persuasive.

Dorsey Arising to the Full Power of a Dynamic Attack on a Witness.

Dorsey Waxing Sarcastic in the Course of a Cross-Examination.

The Able Manner in Which Dorsey Has Handled Case Has Added to His Reputation.

FRANK PLANNED ATTACK, STATE ALLEGES

Continued From Page 1.

for him at the factory in the afternoon and had asked Harry Gottheimer to come back to the factory in the afternoon, requests which the defense will claim establish conclusively that Frank was not arranging for the commission of any crime or wrongdoing Saturday afternoon.

The witness said that she left the factory first at 12 o'clock as the whistles were blowing, but that she forgot her umbrella and returned to Frank's office for it, noting that it was 12:02 as she left finally. She declared that she did not see Lonnie Quinn enter Frank's office. Conley testified that he saw Quinn enter the factory before the arrival of Monteen Stover or Mary Phagan. The Stover girl said she reached the office floor at 12:05 o'clock.

Miss Hall indignantly denied the imputation of Solicitor Dorsey that her salary had been raised as the result of the testimony she was giving. She said that it had been agreed when she entered the employ of Montag Bros. that she was to get an increase of salary August 1, and that she had been unable to get it before this time.

Wade Campbell, an inspector at the factory, came in for a rigorous grilling at the hands of Solicitor Dorsey. Campbell testified that his sister, Mrs. Arthur White, had told him she had seen a negro at the foot of the stairs on the first floor when she went into the factory at 12:30 o'clock.

Campbell Grilled On Affidavit.

"Don't you know that what she actually said was that she saw the negro at 12.50 when she left?" inquired the Solicitor.

Campbell denied that this was so. The Solicitor then showed Campbell an affidavit and asked if it was not his signature at the bottom. Campbell said that it looked like his writing, but that he would not say positively. He denied that he had made the statement in the affidavit in which he was quoted as saying his sister had told of seeing the negro as she left the factory.

The witness on his redirect examination testified that he had seen Conley reading in the factory several times after the crime. Conley said on the stand that he was unable to read, except for a few simple words.

C. E. Pollard, an expert accountant, was the first witness called. He began to testify as to the time required to make out the finance sheet. Attorney Rosser said that the defense probably would conclude its expert testimony with Mr. Pollard, and that Miss Hattie Hall, stenographer for Montag Brothers, would be the next witness.

Pollard testified that the minimum time in which Frank could have compiled the finance sheet was three hours and eleven minutes. This bore out the testimony of Herbert Schiff, Frank's co-worker, and Joel Hunter, expert accountant.

Over Three Hours To Compile Report.

Q. What is your business?—A. Certified public accountant.

Q. Have you had occasion to go over the financial sheet of the National Pencil Company of the week of April 24, prepared by Leo M. Frank?—A. I went over a copy of it.

Q. Have you also seen the factory record called the pencil sheet?—A. Yes.

Q. Were you also furnished data necessary to make that sheet?—A. Yes.

Q. I will get you to state as an expert how long it would take to complete it?—A. I took each sheet, compiled it, and timed myself as to the length of time necessary. I prepared the sheet of the 24th day. It took me ten minutes.

Q. Were there any mistakes?—A. Yes, a little one—of one and one-half cross. It was hard to say whether it was my mistake or his.

Q. Now state the total time it took you?—A. A total of 191 minutes, or 3 hours and 11 minutes.

Q. Was that the quickest?—A. Yes.

Q. In other words, you took exactly the work that he did?—A. Yes; what I was told he did.

Q. That was steady work without interruption, wasn't it?—A. Yes.

Q. How long have you been an auditor?—A. Six'een years.

Q. Have you an office here?—A. I am with the American Audit Company.

Q. That mistake occurred before you took up the sheet, did it not?—A. The mistake was made the Saturday before and one on Friday.

Q. Are those two trifling mistakes—a mistake of 50 cents and a gross and a half of pencils the only mistakes you found?—A. Yes.

Attorney Hooper took the witness on cross-examination.

Q. Mr. Pollard, this is rather an unusual assignment for you, is it not, to go over a man's business and undertake to state how long it takes him to do it?—A. No, I think not. Frequently we are called on to estimate the time it takes to do work in changing systems.

Q. Is it not true that a man can work his own books better than anyone else's books?—A. Yes.

Mr. Arnold took the witness.

Q. How many times would a man have to multiply, divide and subtract in making up that sheet?—A. Well, 40 multiplications and 160 additions, and I can't guess on the rest.

The witness was excused and Miss Hattie Hall was called. She was questioned by Attorney Arnold.

Q. What is your business?—A. Stenographer-bookkeeper at Montag Brothers.

Q. Do you ever go to the National Pencil Company?—A. When necessary.

Q. On Saturday, April 26, did you see Leo M. Frank?—A. About 10 o'clock at Montag Brothers.

Q. Did he say anything?—A. Yes, he asked me if I could come over and do some work. I told him I didn't know, but thought I could.

Dorsey interrupted:

"I object to anything he said to her."

Arnold: "Your honor, it is part of res gestis in this case."

Dorsey: "Here is this dead girl. They would not let her show what she said at 12 o'clock and I can conceive of no principle of law that would let them show what this man said and not let her show what the deceased said."

Aimed to Show Conduct.

Arnold: "This is merely to show a course of conduct."

Judge Roan: "I can see no analogy between the two cases. I rather think you can ask the question."

Dorsey: "Well, this is a very important point, your honor, and we would like to give you some authorities."

Judge Roan: "All right."

Dorsey then read at length from the Eighty-fourth Georgia Report.

Judge Roan: "Do you expect to follow that question by showing that he had certain work to do and engaged her to do it?"

Arnold: "Yes."

Judge Roan: "Then I will let you ask it."

Dorsey threw his book on the table and sat down, laughing. Arnold continued the questioning.

Q. When did you call him first?—A. He called me up before 10 o'clock and said he had work enough to do to keep him busy until 6 o'clock.

Dorsey: "Is your honor going to let that telephone conversation in?"

The Solicitor's objection was overruled.

Q. Miss Hall, did you recognize his voice?—A. I certainly did.

Q. What time did you see him that Saturday morning?—A. About 10 o'clock.

Q. Had you worked for him before?—A. I had been accustomed to going over and helping him on Saturdays. I asked him if he was going to need me. He said, "Yes," that he had so much work to do that he would be busy until 6 o'clock.

Dorsey Calls Halt; Roan Sustains Him.

Dorsey interrupted. "You honor, are you going to let that in?"

Judge Roan: "I don't think I will."

Arnold: "Your honor, I wish you would let me argue for a moment. Even the State does not claim any crime was committed at that time. There is no reason in the world to suppose that the accused would not have told the truth at that time. I believe that if a part of the conversation is admissible, all of it is admissible. You must admit it all to explain part. You would do this young man an injustice to shut out this evidence of this day's program, when there was not the slightest motive to be otherwise than truthful."

"Mr. Dorsey has sought to show," continued Mr. Arnold, "that this financial sheet could have been made up in the morning. We are just trying to show that it was impossible. Now I will read you a decision in which I participated with the father of my good friend, the late Judge Dorsey. It was 24 years ago."

Rosser: "Are you that old, Mr. Arnold?"

Arnold: "Yes, I am 24."

Dorsey: "That case has nothing to do with this one. That was a case where a man on trial for murder swore to a lie."

Arnold: "It was charged that it was a lie. We never did believe it."

Dorsey: "He was convicted."

Arnold: "Yes, he was convicted."

Judge Roan ruled: "Mr. Arnold, this young woman can show that she was called, what she was requested to do, and what was shown her to be done. She can state how long she thinks it would take to finish that work. She can not state, however, what he told her over the telephone about what he expected to do."

Frank Leaves Court With Sheriff.

Arnold: "We want to note an exception to that."

Q. Miss Hall, what time did you go to Mr. Frank's office?—A. Between 10:30 and 11 o'clock.

Q. Did you take dictation in his inner office, or in his outer office?—A. In the inner office.

Q. Where did you write it?—A. In the outer office.

At this point Leo Frank went out of the courtroom with Sheriff Mangum. Mr. Hooper jumped up and whispered to Mr. Arnold.

Arnold—Yes, I waived his presence.

Judge Roan—I excused the prisoner properly.

Hooper—I just wanted to know if the defense had waived his presence.

Q. Now, we only have ten orders here. See if they are the ones Frank handed you?—A. Yes. My initials are on them. They are the ones.

Q. Now, the orders are sometimes acknowledged as the first step?—A. Yes; in that case they were.

Q. Do you recall to whom Frank was talking that morning?—A. Yes, but I don't recall the names. A man and his son came in. Then there was Miss Corinthia Hall and Mrs. White.

Q. Do you recall what any of them said?—Yes; Mrs. White said she wanted to see her husband.

Q. During this time was Mr. Frank working on this financial sheet or any other similar document?—A. He was not.

Q. Are you familiar with his handwriting?—A. Not very.

Q. I will get you to look on this order book and see if those orders are entered.

The witness read the eleven orders from the order book.

Q. Now, is that your handwriting?—A. No; I think it is Mr. Frank's.

Q. Did you write any of these requisitions?—A. No.

Q. Do you know who did?—A. I understood Mr. Frank did.

Q. Were the requisitions made before or after the orders were put on the book?—A. After.

Left Factory At 12:02 P. M.

Q. Now look at these letters and see whether Frank dictated them?—A. Yes.

Q. How many?—A. Eight, and one he did not dictate.

Q. Did he sign them?—A. Yes, I took them to him after I had typed them.

Q. Did he do any work on that financial sheet while you were there?—A. No.

Q. What time did you leave?—A. Just as I got on my hat and started for the door I heard the whistle blow for noon.

Q. Is there a regular whistle that blows for 12 o'clock?—A. Yes, there are several whistles.

Q. What did you do then?—A. I got to the bottom of the steps and remembered that I had forgotten my umbrella. I went back and got it. It was two minutes past 12 o'clock as I passed the time clock.

Q. Did you see any little girl in the building?—A. I did not.

Dorsey took the witness on cross-examination.

Q. Did you call Frank or Frank call you that Saturday morning?—A. I called him.

Q. He had a regular stenographer, didn't he?—A. They had a stenographer, but she didn't do but about one-third enough work, so I had to go.

Q. Miss Hall, what were you receiving at that time?—A. Ten dollars and fifty cents a week.

Q. What are you getting now?—A. Fifteen dollars a week, and I want to explain——

Q. Never mind, just answer my questions. Didn't you state in a soda fountain last night that the raise came to you without asking for it after it was known that you were to be a witness?—A. Indeed, I did not. I don't go to soda fountains. I want to explain.

Attorney Arnold—Let her explain.

A. I insisted that they give me this raise on July 1, but they wouldn't give it to me until August 1.

Q. Did Frank come to Montag's before or after he called you up?—A. After.

Q. You are the one who called him up?—A. Yes.

Q. You did the insisting about going to his office?—A. I certainly did not.

Q. Did you not swear at the Coroner's inquest that Frank left Montag's before you did?—A. I said I did not recall.

Q. You acknowledged these orders with a postcard and letter?—A. Yes.

Q. You wrote those between 10:30 and 12?—A. Yes.

Q. Did you state to the jury Frank left before you did?—A. I don't recall.

Q. How long would it take you to fill out the blank?—A. I never timed myself.

Talked Over Time With Office Boy

Q. Didn't you swear before the Coroner that it would not take more than one minute?—A. I don't know.

Q. Did you say Frank was at the office when you got there?—A. I said I did not recall.

Q. Who came in while you were there?—A. Two men and three women.

Q. What time was it the office boy left?—A. 11:30.

Q. Didn't you tell the Coroner you could not tell the time?—A. Yes.

Q. How do you know now?—A. The boy told me.

Q. You talked it over with him?—A. Yes.

Q. Where were you when these people came in?—A. In the outer office.

Q. How long were you there when these people came in?—A. I do not recall.

Q. Didn't you tell the Coroner it

Continued on Page 4, Column 1.

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We have about 30 dozen or more White Negligee Shirts in beautiful corded madras material with cuffs attached, and a full range of sizes from 14 to 17 1-2, which will go on sale to-morrow morning at 70c each.

These are the celebrated "Eclipse" make and are "Genuine Bargains."

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FRANK TRIAL WITNESS IS SURE, AT LEAST, OF ONE THING--A 'GOOD RAGGING'

By JAMES B. NEVIN.

Reader, proverbially gentle, if not always so, be glad, be joyful, and be filled with exceeding thankfulness that you have not been summoned, no matter which way, as a witness in the Frank trial!

Of course, there is a large, fat chance that you have been summoned—most everybody has—but be all those nice things aforesaid, if you haven't.

And even at that, knock on wood.

The trial is young yet—it is not quite three weeks old, three weeks, count 'em—and there still is time for somebody or other to remember that you may know something or other about something or other that may have something or other to do with the case.

Anyway, if you can't be glad and all the rest of it, be just as glad and as nearly all the rest of it as you can, while the being is good or in anywise promising.

If you are a witness in the Frank case, you are skating on about the thinnest ice ever—it makes no difference whatever whose pond you are skating on.

You are ambrosia and cake to one side and you likewise are gall and wormwood to the other—be very sure of that!

If your wife will have anything at all to do with you, and if the neighbors love you any more, when you get back home, it will be entirely because one side or the other forgot to mention the fact that once upon a time you were a horse thief, or somebody said you were a horse thief, or that you had an uncle who was a horse thief, or some pleasant little thing like that.

They don't care particularly whether you ever look like anything any more, after they get through with you down there in the big court nowadays.

Cross-Examining Is What Hurts.

Always on the direct examination, of course, the sledding is elegant.

The gentlemanly party then asking you gentlemanly questions wouldn't hurt your feelings for the world.

He knows you are a law-abiding citizen and worthy of any trust. He dotes upon you. He loves you. He is your friend until that thing that now and then breaks loose in Georgia freezes over.

Mighty fine—but you haven't yet discovered what's coming to you!

Wait until the cross-examining attorney gets you in his demoniac clutches!

Far be it from him to remember that you have any kinfolks outside the penitentiary, or that you ever told a truth in your life.

He plainly but pointedly is perfectly willing to bet, right there, that you couldn't tell the truth in three trials, and he will lay you big odds on it, moreover!

Now, of course, the following is not precisely a sample of what has been going on in the courthouse of late, ever since the trial began, in fact, but it is about the way it must seem to many witnesses and spectators to have been, after the day is over and they undertake to recall the things that transpired.

"Mr. Witness," begins the cross-examiner, "you told the learned counsel (sarcastic smile) upon the other side, I believe, that you saw an owl sitting on the back fence about three minutes and two ticks past 8:34 on the night of the killing?"

"Mr. Witness" needn't be the least, tiny bit fooled by that "Mr." business—the cross-examiner would scorn to call a witness "Mister," more than once—after that, it merely is "You, Smith," or "Smith," or "Look here, now," or something snappy and snortish.

Witness: "I said I thought it was an owl—it looked like an owl."

Begins to Shake Finger.

Attorney: "W-H-A-T! Didn't you just now, in the presence of this erudite jury (shaking finger vigorously under witness' nose), swear positively (shake) and without reserve (shake), sir (shake, shake, shake), that it WAS (shake) an OWL?"

Witness: "Why-er-um-I couldn't swear it was an owl exactly—it has big eyes, anyhow!"

Attorney: "Big eyes? B-A-H! Also B-A-H, B-A-H! Likewise B-A-H, B-A-H, B-A-H!! Then (very sarcastically) it might have been a cat, eh?"

Witness: "Well, sir (very apologetically), I don't think it was a cat—it didn't say 'Meow!'"

Attorney: "Come, come, person, I don't want to know what you THINK—how dare you think, anyway?—you didn't hang around there to HEAR whether it said 'Meow,' did you?"

Witness: "No, sir (very much abashed); I admit I didn't hang around. Owls make me nervous, anyway!"

Attorney: "I've no doubt (sardonic smile) they make you nervous! By the way, person, didn't one of your honorable ancestors (profound sarcasm) come over to this country with Captain Kidd, the well-known pirate?"

Witness: "Um, oh, I——"

Attorney: "Come, come now, answer me; speak right out; tell the truth, if you CAN; did he?"

Drags Wife Into Mix-Up.

Witness: "I really can not say, sir. You see that's been so long ago, and I wasn't there, either, and——"

Attorney: "Well, you won't (more finger shaking under witness' nose) DENY that one of your ancestors may have been a pirate, will you?"

Witness: "I-er-hump-can't say. I'll ask my wife when I get home. Maybe she knows."

Attorney: "You'll ask you wife, will you? Is she your OWN wife?"

Here the Pleasant Lawyer gets up, and says:

"Your honor, I object to that question. What has a man's own wife got to do with this case?"

His honor doesn't answer right off the reel, so the other lawyer jumps up and withdraws the question.

This makes the witness feel pretty good, for he knew he had a wife when he left home that morning, but he doubts that he can swear positively to any such circumstance now.

Attorney, beginning cross-examination once more: "Let's go back to that owl. What sort of an owl was it, if (more sarcasm) it WAS an owl?"

Witness: "It LOOKED like a screech owl."

Attorney: "Well, a screech owl goes 'screech' and a hoot-owl goes 'hoot,' doesn't it?"

Witness: "I am not sure, sir. I think that's the way it is. I don't know much about owls."

Attorney, shocked almost speechless: "And here you have been telling this poor, unprotected, orphaned jury, these swell, elegant gentlemen, ALL about owls, and now you say you don't know anything about them."

Witness: "Well, ah, oh, I sup——"

Attorney: "Don't you know an owl is a member of the striges family?"

Witness: "Of the Who-ges family?"

Attorney: "Come, now, don't get gay with me, atom. Don't you know the owl is a member of the striges family?"

Witness: "Never met such a family. They don't live on my side of town."

Attorney: "Well, if you saw in the big dictionary that the owl is of such a family, would you say it was true?"

Witness, perking up a bit: "If I saw it in the city directory, I might believe it, but what's the dictionary got to do with it?"

Attorney, waxing superlatively sarcastic: "Will you, speck on the face of creation, kindly permit ME to ask the questions? All I ask of you is that you let ME do that, then YOU answer, if you CAN."

Then the Pleasant Lawyer gets up again

It certainly is a relief to a witness when the P. L. arises to ejeculate a few broken observations. He is the only rainbow in sight, once things get going.

Pleasant Lawyer: "Your honor, I submit that the big dictionary itself is the highest evidence of what the big dictionary says. If the learned counsel on the other side (great gobs, clusters and festoons of sarcasm) wishes to know WHAT the big dictionary says about owls, screech or otherwise, let him tender the BIG DICTIONARY, and stop snarling and beefing at this gentlemanly, talented, honest and exceptionally bright witness!"

The witness thanks the pleasant lawyer for them kind words, all right, for they are the first he has heard in many hours.

Mean Attorney: "Well, animal, have you a big dictionary at home?"

Witness: "No, sir; the one I use is over in the State Library."

Pleasant, Lawyer: "Now, then, your honor, since this accommodating witness has answered the questions, I move that the able (withering contempt) counsel on the other side be required to bring the State Library into court, or shut off their questions about owls. I move to strike from the record everything this downtrodden witness has said about owls, unless the State Library be brought over and handed to the jury for inspection."

Mean Attorney: "Does your honor mean to tell me—ME—that I must bring the entire State Library into court, in order to prove that an owl is a member of the striges family, merely because this stubborn and evidently partisan witness will not say?"

His honor, sighing, patiently: "Well, gentlemen, what has this aforesaid and hereinbefore mentioned owl TO DO WITH THIS CASE, ANYWAY?"

Mean Attorney, getting red in the face, probably about to explode with righteous indignation: "What has it to DO with the case? Why, your honor, opposing counsel brought out the question of owls. Didn't this witness, brazenly and with palpable malice aforethought, say to this grand and magnificent jury that when he went home last Thanksgiving night he saw an owl sitting on the back fence?"

The Grand Climax.

Pleasant Attorney: "I don't think the gentleman said Thanksgiving night; I think it was Christmas. It makes a lot of difference in the matter of seeing things at night, as your honor may know, or—er—may have heard, whether it be Thanksgiving or Christmas. Besides, he didn't say he saw an owl sitting on the back fence. He merely said he went home that night on an owl car."

Everything about owls, the owl car and the back fence is ruled out, and the Mean Lawyer sits down, evidently greatly chagrined and angered.

And the witness?

About all the witness hopes as he leaves the stand is that his wife at home—if she's still there—loves him, anyway, and will continue to think well of him hereafter, notwithstanding the fact that he has been a witness in Atlanta's most famous murder trial.

It makes no difference whatever which side summons you to testify in the Frank case, it's tough luck! You can't win.

You will be made to wish you never had been born before they get through with you—that's the surest thing you know!

PENCIL FACTORY GIRL WHO WILL TESTIFY FOR THE FRANK DEFENSE

Eula May Flowers, Who Will Testify for Frank.

SUICIDE BY DYNAMITE.

ALTOONA, PA., Aug. 12.—Placing two sticks of dynamite in his vest pocket, Henry Boedt, 55, applied a match to the fuses and was blown to pieces.

ODOR-O-NO

Makes Dress Shields Absolutely Unnecessary

Keeps the armpits fresh, dry and natural. No more faded and spoiled dresses and no more odor. Eliminates excessive perspiration from any part of the body.

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INSIST ON ODORONO—THERE'S NOTHING "JUST AS GOOD."

WONDERFUL HOW RESINOL CURED ITCHING HUMOR

New York, N. Y., May 19, 1913: —"I was taken with a terrible itching and burning in my hands. They would crack and bleed. I could not do my work. I had to walk the floors at night. I tried —— and ——, but no relief, until I used Resinol Soap and Resinol Ointment—then I could go to sleep. The Resinol treatment is something wonderful, for if you could see my hands, you would never think that they were ever sore—they are so nice and soft, and I can do all my work now." (Signed) Mrs. Wm. Sutherland, 135 East 71st St."

For 18 years Resinol has been a doctor's prescription and household remedy for eczema, ringworm, pimples, dandruff, wounds, burns, sores and piles. Resinol Ointment and Resinol Soap are sold by all druggists. Trial free; Dept. 5-R, Resinol, Baltimore, Md.

Augusta to Share Crop-Moving Fund

AUGUSTA, Aug. 12.—Albert S. Hatch, president of the Merchants' Bank and a member of the committee of the Augusta Clearing House Association, sent to Washington to confer with Secretary McAdoo, of the Treasury Department, in regard to money with which to move the crops, has returned and announces that Augusta spoke for $600,000, which she will get if she wants it. Hatch said Augusta could have probably gotten more had she asked for it.

Georgia J. O. U. A. M. In Session at Macon

MACON, Aug. 12.—The nineteenth biennial convention of the Junior Order of United American Mechanics met here to-day with about 150 delegates, representing the various councils in the State, in attendance.

It is probable that the next meeting will go to Athens, and that Benjamin J. Symons, of Savannah, will be elected councilor to succeed Judge W. W. Shepard, of Savannah. O. H. Puckett, of Atlanta, state treasurer, is assured of re-election.

Extra Police to Curb Thieves Bryan Day

STROUDSBURG, PA., Aug. 12.—Expecting an unusual representation of pickpockets when William J. Bryan makes his chautauqua address here, August 28, the borough fathers, at their regular monthly council meeting, have taken decided action.

Secretary Williams was directed to ask Superintendent Groome to have the State constabulary here on Bryan day. The occasion is expected to draw a larger crowd than any circus day in the last 25 years.

900 Young Women Ask to Join Army

Special Cable to The Atlanta Georgian.

PARIS, Aug. 12.—The War Minister has received a petition from 900 young Frenchwomen who ask to be allowed to join the army in the auxiliary services.

They declare they are prepared to submit absolutely to military discipline, adding that their dearest hope is to consecrate part of their youth to France, and thus co-operate with their brethren in the national defense.

$6 WRIGHTSVILLE BEACH

Round trip Saturday, August 23. Special train, sleepers and coaches. Leave Old Depot 6 p. m. SEABOARD.

Attacks on Dr. Harris Give Defense Good Day

The defense had what was probably its best day on Monday. Medical experts were on the witness stand the larger part of the day. The purpose of their testimony was to knock down, one after another, the sensational statements of Dr. H. F. Harris, secretary of the State Board of Health. All of the witnesses joined in ridiculing every important theory or conclusion that was reached by the distinguished chemist and physician.

Experts for Defense.

These are the medical experts called by the defense to combat the testimony of Dr. Harris:

Dr. Willis F. Westmoreland, first president of the Georgia State Board of Health, and president of the Atlanta College of Physicians and Surgeons.

Professor George Bachman, demonstrator in physiology at the Atlanta College of Physicians and Surgeons; formerly one of the faculty of the Jefferson Medical College, Philadelphia.

Dr. T. H. Hancock, a specialist in surgical practice.

Dr. J. C. Olmstead, a graduate of Columbia University, and a practitioner in Atlanta for 32 years.

Here is a summary of Dr. Harris' theories on the death of Mary Phagan and the consensus of the four medical experts' opinions in regard to the theories:

How Views Clashed.

Mary Phagan came to her death within half or three-quarters of an hour of the time she ate her meal of cabbage and wheat bread at home. The condition of the cabbage shows it had been in her stomach no longer than that when death stopped the digestive processes.

"No man in the world could examine those specimens of cabbage and tell either from their condition or from the conditions found in the stomach of the murdered girl nine days after death within hours of the time that elapsed between her meal and her death."

The wound on the back of the girl's head indicates that she was knocked unconscious and later strangled to death.

Called Reckless Conjecture.

"From the data at hand, it is absolutely impossible to tell that the wound on the head caused unconsciousness. It is only a rash and reckless conjecture."

Mary Phagan was the victim of criminal violence other than that superficially apparent.

"This is the most extraordinary surmise that could be imagined. As a matter of fact, he could not have told from the conditions he says were present that she was a victim of criminal violence, even if he had made the examination within a few hours after death, instead of nine days later."

Dr. Harris not only was buffeted about on account of his startling theories and conclusions, but because of his conduct in the case. Attorney Reuben Arnold asked Dr. Westmoreland what he would think of a physician or chemist who was called into a case like that of the Phagan murder; who made the examinations admittedly for the reason that he "liked the Solicitor"; who conducted all of his analyses and experiments in absolute secrecy, who had not even a collaborator to check up on him, and who saved none of the material for the use of chemists who might be engaged by the defense.

Solicitor Dorsey at once made objection to the question.

"I don't know that the question is admissible, but it ought to be," retorted Arnold. "We wish to show that Dr. Harris has violated all of the ethics of his profession, as well as the principles of honesty and decency and fairness. A man's life is at stake, your honor. His case should not be affected by one man's word who deliberately has destroyed all of the material upon which he says he bases his theories."

Dr. Westmoreland was permitted to answer. He said:

"It is the ethical rule that a chemist or physician either call in another expert or preserve the specimens of his test."

Solicitor Dorsey endeavored to show that Dr. Westmoreland might be influenced in his testimony by a breach of professional relations with Dr. Harris which occurred some time ago.

Attempts to Show Dislike.

"How is you feeling toward Dr. Harris?" he asked. "Is it kindly or unkindly?"

The witness replied that it was neither one nor the other.

Asked by Attorney Arnold to go into the matter to which the Solicitor referred, Dr. Westmoreland said that he had preferred charges of scientific dishonesty against Dr. Harris and that the charges had been found well grounded, but were not regarded as sufficiently grave to warrant any action. He thereupon resigned from the State Board of Health, he said, leaving Dr. Harris in his position of secretary.

Joel Hunter, an expert public accountant, testified just before adjournment that it would have taken Leo Frank at least three hours to make up the financial sheet and balance his accounts on the day that Mary Phagan was murdered.

"That wouldn't have given him much time to go to the ball game, would it?" inquired Attorney Hooper.

It is the theory of the State that Frank was planning to go to the ball game Saturday afternoon and that he compiled practically all of the financial sheet Saturday forenoon. This is in opposition to the contention of the defense that Frank did all of the difficult mathematical work in the afternoon, something he could not have done had he just committed a brutal murder.

People's Cry for Justice Is Proof Sentiment Still Lives

By L. F. WOODRUFF.

There is as much sentiment in the world to-day as there was in 1861 or 1776 or 1492 or 1066 or any other date that may come to your recollection.

It's not fashionable to say so, but it's true. People to-day are too prone to accuse themselves and their neighbors of being worshippers of Mammon and declaring that the money-grubbing instinct has crushed out sentiment, patriotism and honesty.

But right now in Atlanta, there is a striking example of the goodness that is man's to-day, just as much as it has ever been.

It is the one bright spot in the hideous slaying of Mary Phagan and the terrors of the trial of Leo Frank.

More people are interested in the case probably than in any criminal action the South has ever known. They are thrilled by it, for they knew that the officers of the law and the Government of the State are spending thousands of dollars to find the man guilty of her murder and punish him.

Had Mary Phagan been of a prominent house, had she been wealthy, had her family or friends been influential there would be no room for comment.

The cynic could say, "Oh, she was a rich girl, what chance would there be for a child of the masses?"

But the Phagan case gives this the lie.

Mary Phagan's family is not wealthy. It is not prominent. It is not influential.

And still the great public has arisen with a demand that can be heard the length and breadth of the nation that her slayer be found and punished.

Had Mary Phagan been a princess of Peachtree instead of just a little Atlanta girl—as good as she was pretty—who had to struggle to make her living, the sentiment would not have been half so fervid.

The sympathy that has gone out to her and her family is a lasting proof of Atlanta's and the South's democracy.

"Poor Old Dad," Poem Touches Ham Lewis

WASHINGTON, Aug. 12.—Senator James Hamilton Lewis isn't the Lewis who is advocating a "Father's Day," although hundreds of correspondents think he is; but—

He has received a copy of a song from a man in Decatur, Ill., entitled "Poor Old Dad." The chorus ran:

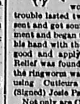
No, it isn't meant to slight him,
But it looks a little sad;
All the bouquets made for Mother,
Not a bloom for Poor Old Dad.

"Poor Old Dad!" sighed Senator Lewis. "Now I know we must do something for him."

RINGWORM SPREAD ALL OVER HAND

Itched So Scratched Till Bled. Screamed When Washed. Cuticura Soap and Ointment Cured.

R. F. D. No. 2, Box 67, Ellijay, Ga.—"My son's ringworm began on the back of his hand. A fiery red spot came about as large as a dime and it would itch so badly he would scratch it till it bled. It began to spread till it went all over his hand. He would just scream every time I went to wash it. The nail came off on the middle finger.



"I used ——— and it got worse all the time. The trouble lasted two or three months, then I sent and got some Cuticura Soap and Ointment and began to use them. I would wash his hand with the Cuticura Soap and dry it good and apply the Cuticura Ointment. Relief was found in two or three days and the ringworm was cured in two weeks after using Cuticura Soap and Ointment." (Signed) Josie Parks, Jan. 4, 1913.

Not only are Cuticura Soap and Ointment most valuable in the treatment of eczemas and other distressing eruptions of skin and scalp, but they are also most effective in the treatment of pimples, blackheads, red, rough skins, itching, scaly scalps, dandruff, dry, thin and falling hair, chapped hands and shapeless nails. A single cake of Cuticura Soap (25c.) and box of Cuticura Ointment (50c.) are often sufficient when all else has failed. Sold by druggists and dealers throughout the world. Liberal sample of each mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

Men who shave and shampoo with Cuticura Soap will find it best for skin and scalp.

Davison-Paxon-Stokes Co.

475 New White Skirts in a Special Sale To-morrow at - - - - **85c**

They Are $1 to $2 Skirts

Brand-new, every one of them—they will go into stock for the first time—for this special sale Wednesday—and they are such good skirts that not many who see them will let pass the opportunity to buy two, three or a half dozen.

They are beautifully made in about six stylish models, some with side inserts or plaits, all button-trimmed. The material is good pique, in wide and medium welts.

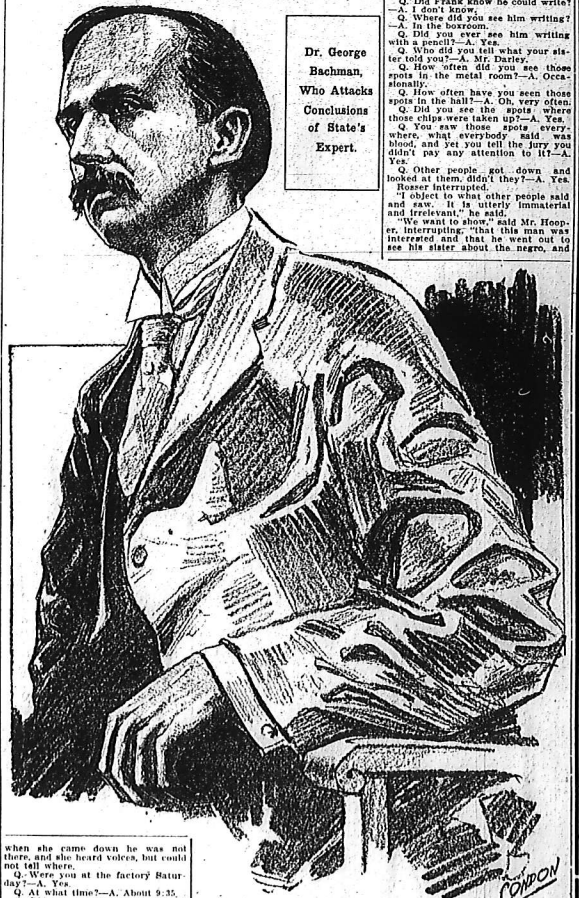
All sizes too—so that even very stout women may share this economy. The sizes are—22 to 36 waist, and 36 to 44 length.

Regular $1.00 to $2.00 Skirts—for your selection Wednesday at 85c each.

Women's Apparel Section—Fourth Floor.

RESIDENTS OF DALTON'S HOME COUNTY RIDDLE HIS CHARACTER ON STAND

EXPERT CONTRADICTS DR. HARRIS' TESTIMONY



Dr. George Bachman, Who Attacks Conclusions of State's Expert.

Continued From Page 2.

was fifteen minutes?—A. I don't remember.

Q. How long was it after those letters were dictated that you commenced writing?—A. Two minutes.

Q. Can you tell how long you were writing those letters?—A. No.

Q. When you were writing those letters, where was Frank?—A. In his office.

Q. After you finished, what did he do?—A. I took them in to him.

Q. Did he say anything?—A. He said he would put them in the envelopes and mail them.

Q. He said you need not wait?—A. Yes.

Q. Did you get anything there Monday?—A. I got the timebook and some papers.

Q. The previous Saturday when you were over there, do you remember Frank working on the financial sheet that morning?—A. No. I helped him get up something about gross—I found afterward it was the average sheet made up. I helped him by transferring some of the things to the sheet?—A. Yes, but I thought it was the financial sheet.

Q. Didn't you state at the coroner's inquest that you helped him the Saturday before?—A. Yes.

Found Her Error Herself, She Says.

Q. When was it you discovered it was not the financial sheet?—A. I don't know, but I want you to know I discovered the mistake myself.

Q. Now, were you not at the factory the previous Saturday and helped him?—A. Yes.

Q. Did you not have that financial sheet before you at the Coroner's inquest, and did you not identify it?—A. I don't think so.

Q. Well, you said he was working on the financial sheet that previous morning?—A. He was not.

Q. Did you not tell the Coroner's jury that you were in the outer office the entire time?—A. I don't know.

Q. Now explain how your mind underwent this change. You said then you were not in his office and now you say you were.—A. I was rattled before the Coroner, because I had never been in a courtroom before.

Q. Now, didn't you say in response to the question, "Do you know what a financial sheet is?" that you did?—A. But I was thinking of the average sheet.

Q. Now, what did you mean by telling the Coroner some of those girls came in for their pay and now saying the only one you know anything about came in for her coat?—A. I just forgot.

Q. Now, didn't Frank say that morning that he would not get up that sheet until Herbert Schiff came down and got up the necessary data?—A. Yes, he said he could not go on with his work until Schiff came down.

Q. You do know that Frank said positively he could not make up that sheet until Schiff had gotten up certain data?—A. He did not positively say so. He said he did not mind Mr. Schiff being off if he had done his work, but that he had not done his work.

Q. Miss Hall, didn't you swear before the Coroner's jury that you worked on this financial sheet which is written in ink the Saturday previous, and now to-day you swear it was this sheet which is written in pencil?—A. I did not. I was identifying the handwriting on that sheet.

Q. You said lots of people wrote slanting, and it was hard to identify?—A. Yes.

Q. While you were working in Frank's outer office, you said he was very quiet and you did not know what he was doing?—A. Yes.

Q. You do not know whether he was working on the financial sheet or not?—A. Yes. I saw the papers on his desk that he was working on, and the financial sheet was not among them.

Attorney Arnold took the witness.

Q. Why did you tell Mr Frank you had to get away at 12 o'clock?—A. He said something about wanting me to help him in the afternoon. I told him I had to get away at 12 o'clock, and I did get away at 12 o'clock.

Dalton's Prison Record Exposed.

Dorsey objected to the answer, but was overruled.

Miss Hall was excused and C. B. Dalton was recalled to the stand. Arnold questioned him.

Q. Who is Andrew Dalton?—A. A brother-in-law.

Q. With the same name?—A. Yes.

Q. Who is John Dalton?—A. He is my brother.

Q. Weren't you three sent to the chaingang at the special term of the Walton County Superior Court in 1894?—A. No.

Q. You were not?—A. I was, but the others paid out.

Q. What did you steal?—A. A chop hammer.

Q. Didn't you plead guilty to two more charges?—A. That is the only time I ever went to the chaingang. I don't know how long I served, but I was pardoned in March.

Attorney Arnold moved that the witness' reply in reference to being pardoned be struck from the records.

Q. Didn't you plead guilty to three charges all at the same time? And that the sentence was concurrent on the three charges?—A. All I took was a chop hammer. One of the other boys took a plow stock.

Q. At the February term of 1899, were you not indicted for stealing a bale of cotton?—A. For helping.

Q. Were you found guilty?—A. I was fined $145, which I paid.

Q. After that, did you not go into Gwinnett County and steal?—A. I was indicted for stealing some corn, but I was found not guilty.

Dorsey took the witness.

Q. How long since you were in trouble?—A. Eighteen years.

Dorsey to Recall Daisy Hopkins.

Arnold took the witness.

Q. Is it not a fact that there are now four indictments against you in Walton County for selling liquor?—A. If there are I don't know it.

Q. Is it not a fact that they let you out of the county and were glad to get rid of you?—A. I have been back there every year.

Dorsey took the witness.

Q. Do you know that Daisy Hopkins knows Leo Frank?—A. I do.

Q. How do you know?—A. She told me she knew him, and then I saw her talking to him.

Arnold interrupted: "I object to what she said."

"That's all right; then," Dorsey replied. "I will recall her."

Dan Roan was excused and the defense began an attack on his character with witnesses from Walton County.

B. S. Cooper, the first witness called, was accompanied by a small boy of 6. He held the boy on his lap while he testified on the witness stand. Arnold questioned him.

Q. What is your business?—A. A farmer.

Q. How long have you been in Walton County?—A. Fifty years.

Q. Do you know C. B. Dalton?—A. I do.

Q. Do you know his general character?—A. I do.

Q. Is it good or bad?—A. Bad.

Q. Would you believe him under oath?—A. I would not.

Wouldn't Believe Him Under Oath.

At this point C. B. Dalton was called for but could not be found. Dorsey said he would admit that the witness was speaking of the Dalton who had testified against Frank. Hooper was excused and J. H. Patrick was called. Arnold questioned him.

Q. Where do you live?—A. In Walton County.

Q. What do you do?—A. Carpenter and bailiff.

Q. Have you seen Dalton here this morning?—A. I shook hands with him.

Q. Do you know his general character for truth and veracity and is it good or bad?—A. Bad.

Q. Would you believe him on oath?—A. No.

The witness was excused and W. T. Mitchell was called. Arnold questioned him.

Q. Where do you live?—A. Walton County.

Q. Do you know C. B. Dalton?—A. Yes.

Q. Have you seen him this morning?—A. Yes.

Q. Do you know his general character?—A. Yes.

Q. Would you believe him under oath?—A. No.

The witness was excused and L. M. Hutton was called. Arnold questioned him.

Q. Where do you live?—A. Walton County.

Q. What is your business?—A. Farmer.

Q. Do you know C. B. Dalton?—A. Yes.

Q. Would you believe him under oath?—A. No.

The witness was excused and Miss Laura Atkinson, of No. 20 Ella street, Atlanta, a woman apparently 35 years of age, was called to the stand. Arnold questioned her.

Q. Where do you work?—A. At the Emdee Printing Company.

Q. Did you ever work for the National Pencil Company?—A. Yes, for two days.

Denies Dalton's Story of Strolls.

Q. Do you know C. B. Dalton?—A. Yes.

Q. Did you ever walk home with him from the Busy Bee Cafe on Forsyth street?—A. I did not.

Q. Were you ever with him around the National Pencil Company?—

Dorsey interrupted: "I object," he said. "The witness said nothing that reflected on this woman."

Arnold: "It was a reflection for him to say that he was with her."

The objection was sustained.

Dorsey took the witness.

Q. How long have you known Dalton?—A. About six months.

Q. Were you ever in his company?—A. I have been in his company three times.

The witness was excused, and Mrs. Minnie Smith called. Arnold questioned her.

Q. Where do you work?—A. National Pencil Company.

Q. Are you the Mrs. Smith who lives at No. 148 South Pryor street?—A. Yes.

Q. Are you the only Mrs. Smith at that address?—A. Yes.

Q. Do you know C. B. Dalton?—A. No.

Q. Were you ever in his company?—A. No.

The witness was excused. Alonzo Mann, the office boy at the National Pencil Factory, was then called. Arnold questioned him.

Q. Where do you work?—A. At the National Pencil Company as an office boy.

Q. How long have you been there?—A. Since April 4 of this year.

Q. Where do you stay when you are not at work?—A. Right outside the office.

Left Frank and Miss Hall in Office.

Q. How late do you work on Saturdays?—A. I had only been there two Saturdays before the murder.

Q. You don't know how late you stayed?—A. No.

Q. What time did you leave the office Memorial Day?—A. At 12:30.

Q. Who did you leave there?—A. Miss Hall and Mr Frank.

Q. Do you recall what you did that morning?—A. No.

Q. Did you phone Mr. Schiff?—A. Yes. Mr. Frank told me to, but I could not get him.

Q. How late did you stay those other Saturdays?—A. 3:30 to 4 o'clock.

Q. Did you see Mr. Frank bring any women there and buy them drinks?—A. No.

Q. Who do you recall seeing there that day?—A. Mr. Holliday, Mr. Irby, Mr. McCrary and Mr. Darley.

Q. Can you recall anybody else?—A. No.

Q. Did you see Corinthia Hall?—A. I don't remember.

Q. Did you see a man come in to see about his boy?—A. I don't know.

Dorsey took the witness.

Q. What time did Mr. Frank get there that morning?—A. I don't remember.

Q. Did he go out?—A. One time, as I recall.

Q. Do you know how long he was gone?—A. No, I can't remember.

The witness was excused and Wade Cantrell was called.

Arnold questioned him.

Q. Whereabouts you employed?—A. I have been at the National Pencil Company for a year and a half.

Q. Do you recall a conversation with Mrs. White the Monday following the murder?—A. Yes.

Q. Can you tell me what she said?—A. She said that as she went into the factory at 12 o'clock she saw a negro sitting there. She said that when she came down he was not there, and she heard voices, but could not tell where.

Q. Were you at the factory Saturday?—A. Yes.

Q. At what time?—A. About 9:35.

Q. Did you see Frank?—A. Yes; I went right to his office.

Q. Did he say anything?—A. Yes; I was jollying him and he was jollying me.

Q. Were you on the fourth floor Tuesday morning?—A. Yes.

Q. Did you see Jim Conley up there?—A. No.

Dorsey took the witness on cross-examination.

Q. Do you board with Mr. Darley?—A. I did.

Q. Where were you Saturday night of the murder?—A. I don't know.

Q. Didn't you go to the Bijou that night with Mr. Darley?—

"I object," said Rosser.

Judge Roan sustained the objection.

Q. Darley is a married man with five children, is he not?—A. Yes.

Q. Did you see Miss Dixon that night?

Rosser—I object.

Judge Roan sustained him.

Q. You reported to Darley on April 28 that your sister had seen a negro in the pencil factory on Saturday, about 10 o'clock?—A. Yes; he sent me to see my sister.

Q. What did she tell you?—A. She said she saw a negro man on the first floor. She said she heard some indistinct voices as she went in.

Q. You saw that blood on the second floor?—A. I saw what they said was blood.

Q. How did it look?—A. I didn't notice it close enough to tell about it.

Grilled Concerning Statement to Dorsey.

Q. Where do you work?—A. As an inspector at the National Pencil Company.

Q. You made a statement on May 12?—A. I made a statement to you. I don't remember the date.

Q. Didn't you state that your sister said she saw the negro as she was coming out?—A. I did not.

Q. You deny it, then?—A. I do.

Q. Is this your signature?—A. It looks very much like it.

Q. You can't swear that this is your signature?—A. No, I would not swear it.

Q. You say that you don't know whether that is your signature?—A. Yes.

Q. Do you deny making this statement?—A. I told you I did.

Q. Did you not read over this statement and make certain corrections?—A. Yes.

Q. Did you not say in this statement that your sister went there at 12:30 and could not see her husband and went back?—A. I don't know.

Arnold took the witness.

Q. How did you come to go to Dorsey's office?—A. I received a subpena.

Q. You thought you had to go?—A. Yes.

Q. Didn't you know that it was not worth the paper it was written on?—A. No.

Wanted To See Corrections Made.

Q. Did you just point out these corrections or did you wait and see what they were made?—A. I think I waited.

Q. Who was there?—A. Starnes, Campbell and Dorsey.

Q. Did they all ask you questions?—A. Yes.

Q. All of these 21 pages are your statement?—A. Yes.

Q. You were asked all of these questions?—A. Yes.

Q. Were you asked at the time you were in the office if anyone came in and did you answer "No"?—A. Yes.

Q. You answered that someone came in to get their pay?—A. Yes.

Q. Do you know this negro Jim Conley?—A. Yes.

Q. After this murder do you recall seeing him reading newspapers?—A. Yes.

Q. Where?—A. On the fourth floor.

Q. How many times?—A. Twice.

Q. Is it anything unusual to see spots on the metal room floor?—A. No.

Q. Have you seen the place where Conley said he found the body?—A. No.

Horsey took the witness.

Q. Where was Conley sitting when he was reading the paper?—A. By the elevator.

Q. Where was he the second time?—A. In the rear of the building.

Q. What paper was he reading?—A. I don't know.

Q. Do you know whether he was reading about the murder?—A. No.

Q. Was it an extra?—A. I think so.

Q. You knew Conley could write?—A. Yes.

Q. You did not report it to the officers?—A. No.

Q. Did Frank know he could write?—A. I don't know.

Q. Where did you see him writing?—A. In the boxroom.

Q. Did you ever see him writing with a pencil?—A. Yes.

Q. Who did you tell what your sister told you?—A. Mr. Darley.

Q. How often did you see those spots in the metal room?—A. Occasionally.

Q. How often have you seen those spots in the hall?—A. Oh, very often.

Q. Did you see the spots where those chips were taken up?—A. Yes.

Q. You saw those spots everywhere, what everybody said was blood, and yet you tell the jury you didn't pay any attention to it?—A. Yes.

Q. Other people got down and looked at them, didn't they?—A. Yes.

Rosser interrupted.

"I object to what other people said and saw. It is utterly immaterial and irrelevant," he said.

"We want to show," said Mr. Hooper, interrupting, "that this man was interested and that he went out to see his sister about the negro, and yet he came back there and was in no way interested."

"I think you can ask questions along that line," said the court.

"Well, we want to record an objection," said Rosser.

Q. Where and when have you ever seen on that second floor anything that looked like that spot?—A. I did not look close enough at it to know.

Q. When did you see other spots like it on the floor of the metal room?—A. There were other spots, but I don't know whether they were like that spot or not.

Q. Did you talk to your brother-in-law about what your sister said?—A. He told me about it.

Court adjourned until 2 o'clock.

GERMAN HELD AS TRAITOR.

BERLIN, Aug. 13.—A sensational arrest was made at Stettin to-day when an artillery captain was taken into custody charged with selling military secrets to a foreign power.

M. RICH & BROS. CO.

A Special Sale

Of Patent, Gun Metal and Tan

Pumps & Oxfords

400 pairs of $4 & $5 Shoes

$2.95

White Canvas Pumps, Up-to-the-minute $3.50 and $4 Pumps and Oxfords. A fit for every foot. Choice . . **$1.95**

Patent, Mat and Bronze Kid, Spanish Heel Colonial Pumps **$5.45**

Genuine $7 Brooklyn-made Slippers. Have cut-steel buckle. All sizes in stock. This style is the latest out. The quality and fit are the best obtainable.

M. RICH & BROS. CO.

"A Department of Famous Shoes"

MEN AND RELIGION BULLETIN No. 74

God in Georgia

"For it is God which worketh in you both to will and to do His good pleasure."

—Philippians 2:13.

Thanks Be to Him the House Has Passed House Bill No. 4 and Directed That It Be Transmitted Immediately to the Senate.

We believe that Georgia will provide for her wayward and delinquent girls at this session of the Legislature.

THE EXECUTIVE COMMITTEE OF THE MEN AND RELIGION FORWARD MOVEMENT

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EVENING EDITION

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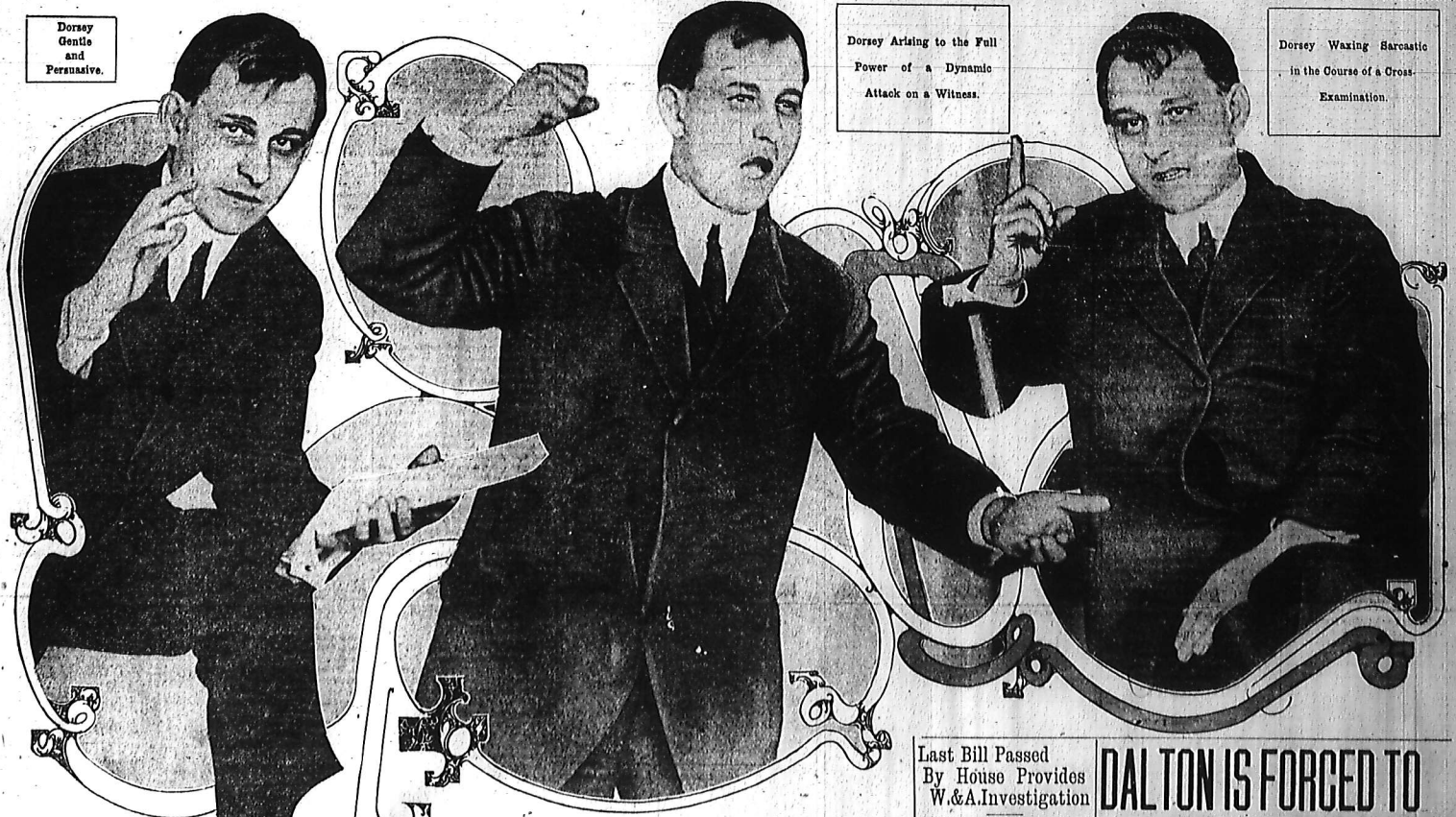
FRANK PLANNED CRIME, STATE'S THEORY

SOLICITOR HUGH DORSEY GRILLING WITNESSES IN FRANK CASE



Dorsey Gentle and Persuasive.

Dorsey Arising to the Full Power of a Dynamic Attack on a Witness.

Dorsey Waxing Sarcastic in the Course of a Cross-Examination.

The Able Manner in Which Dorsey Has Handled Case Has Added to His Reputation.

BURSTING AIR TANK STUNS 7 MEN

W. H. Hutchins, No. 152 Confederate avenue, assistant engineer at the N. P. Pratt Laboratory, No. 88 Auburn avenue, was blown twenty feet against the side of the building Monday morning about 4:30 o'clock when a compressed air tank exploded while Hutchins and half a dozen negro workmen were filling it.

The negroes were also thrown against the walls, but none was injured.

Hutchins received several small cuts about his head and face, and was severely jarred. His key ring, which was attached to his belt, was blown off. It was found 50 feet from where the explosion occurred.

The air tanks in the laboratory are about five feet long and two feet in circumference, and are used in the bottling operations. Four of them were being filled under the direction of Hutchins when the accident happened.

The explosion shook buildings a block away, and was heard a quarter of a mile. The noise and jar awoke practically every person in the neighborhood. Many parties rushed to the building expecting to find workmen dead or seriously injured. All of the men in the plant were slightly stunned and were just regaining their feet when the first of the rescuers arrived.

Police Sergeant Hewett, who was more than a quarter of a mile away, at Piedmont avenue and Houston street, heard the explosion and went to the factory. He took charge of the situation and sent Hutchins home. The negroes returned to their work.

It All Depends on The Point of View

SAVANNAH, GA., Aug. 12.—Recorder John E. Schwartz fined Miss Beale Carter $50 for appearing in the shopping district here in a short skirt and low-cut waist.

CLARKESBURG, W. VA., Aug. 12.—A young woman arrested for wearing an "expose gown" was discharged by the Mayor, who called her costume "becoming and artistic."

Flies 800 Miles in Day Without Stop

Special Cable to The Atlanta Georgian.

BREMEN, Aug. 12.—Aviator Reguin, flying for the Pommery trophy, arrived here to-day after covering 800 miles on a non-stop flight. The Pommery trophy goes to the Aviator making the longest cross-country flight between sunrise and sunset of the same day.

THE WEATHER.
Forecast for Atlanta and Georgia—Fair Tuesday and Wednesday.

Fires Bullets Into Bodies of Dead Men

TRENTON, TENN., Aug. 12.—Armed with two automatic pistols, J. A. Alford, a prominent citizen of Rutherford, shot and killed W. F. Coulter and his son, Harry Coulter, two prominent lawyers of this place. After the Coulters had fallen, Alford fired several bullets into their lifeless bodies.

Alford arrived on a M. and O. train and when he alighted he began firing on his victims.

Domestic trouble is said to have caused the killings. Alford surrendered to officers and was lodged in jail.

Postal Receipts Here Top 2 Larger Cities

Figures made public by Postmaster Hugh McKee show that the receipts for the last fiscal year at the Atlanta postoffice were greater than the offices at Louisville and New Orleans, both larger cities than Atlanta.

The receipts at the local office were $1,328,011.14, at New Orleans $1,152,761.72 and at Louisville $1,163,598.18.

EXTRADITION OF ZACHRY IS DENIED

Governor Slaton Tuesday refused to honor the requisition papers of Governor Cole Blease, of South Carolina, for J. J. Zachry, of Augusta, who was charged with kidnaping his own child. The decision of the Governor followed a sensational hearing in the executive offices late Monday.

Governor Slaton based his refusal on the fact that no State law had been violated by Zachry in South Carolina and that the whole case was against the defendant grew out of the desire of Mrs. Zachry to obtain the custody of the two children.

One of the most spectacular fights for the extradition of a citizen ever recorded in Georgia occurred in the Governor's offices Monday. Charges and counter charges were hurled in turn by counsel for the defense and for the State of South Carolina, and at one time a personal mix-up between Attorney Dunbar, representing Mrs. Zachry, and Attorney Phinizy, representing Mr. Zachry, who charged that the case had been prosecuted with all the "vindictiveness" that Mr. Dunbar could summon, was narrowly averted by the Governor.

"You may wax just as enthusiastic as you like," said Governor Slaton to Mr. Phinizy, "but you can't say those things. That will not do here."

The hearing was as unique as it was spectacular. With the Governor sitting as both court and jury, attorneys for the defense and plaintiff were allowed to argue their cases to their hearts' content with frequent interruptions by the Governor, who kept close tab on every bit of evidence offered.

TAX REFORM ACT PASSES IN SENATE

With the Senate substitute for the Sheppard House taxing bill back in the House for ratification after passage in the Senate in a night session Monday, and the possibility of the Administration taxing bills being thrown out on constitutional grounds, the wave of tax reform in this section of the Legislature reached its crest Tuesday morning.

Leaders in the Senate declared Tuesday morning that a serious doubt exists as to the constitutionality of presenting the three Administration taxing bills which were defeated in the House last week. The legal point is said to rest upon the constitutionality of presenting bills in one house after they have been defeated in the other. Should this opinion hold, the three bills offered for the Administration by Senators Miller, McNeill and Varner will be thrown out, and the Senate will rest on its laurels earned late Monday evening when the substitute to the Sheppard bill was passed, 29 to 12.

Senate leaders declared Tuesday morning that it was now squarely up to the Lower House to redeem itself and adopt the taxing bill as passed by the Senate. Should the House assume a generous attitude in the matter and ratify the Senate bill, the Senate in turn, the leaders of the body say, will not fuck the $240,000 appropriation which it sliced off of the House general appropriation bill last week. This can be done, it is claimed, without financially embarrassing the State Treasury with such a taxing law on the statute books as the Miller-Anderson bill passed by the Senate.

Last Bill Passed By House Provides W.&A. Investigation

A bill providing for a commission of eight members to investigate the value of the Western and Atlantic Railroad and make recommendations for its lease was passed by the House of Representatives Monday afternoon, being the last House measure that will be passed during the present session.

The commission will be composed of two members from the House, two from the Senate, the chairman of the State Railroad Commission, and two civilians to be appointed by the Governor. The bill carries an appropriation of $5,000 for expenses.

The House also passed, by a vote of 129 to 9, the "blue sky" law which requires registration of securities before stocks and bonds of a concern can be placed on the market. It is designed to prohibit the sale of "wildcat" stocks.

Electric Light Men To Meet in Macon

MACON, Aug. 12.—The annual convention of the Southeastern section of the National Electric Light Association, comprising the States of Georgia, Florida, Alabama and the Carolinas, will begin in Macon Thursday morning. About 100 electric light men are expected to attend.

Thursday night there will be a reception at the Dempsey Hotel and Friday a barbecue for the visitors at the Log Cabin Club. A number of prominent men are scheduled to make addresses.

Disease Turns White Children Into Black

PHILADELPHIA, PA., Aug. 12.—Eighteen-month-old twin boys in the Children's Homeopathic Hospital are suffering from one of the rarest diseases known to medical science. It has changed their color from white to black.

The disease is pseudo leucamia, or Hodgkin's disease, and it is an affection of the lymphatic glands in which the number of white blood corpuscles is increased and the red blood corpuscles greatly diminished.

DALTON IS FORCED TO ADMIT JAIL RECORD

The State definitely announced Tuesday in court at the Frank trial its theory that Frank deliberately premeditated and planned a criminal attack upon Mary Phagan Friday, April 25, the day before she came to the factory and was slain.

Frank A. Hooper, associated with Solicitor Dorsey in the prosecution, made the surprising announcement of the State's attitude during a heated argument over the admissibility of a portion of the testimony of one of the defense's witnesses, Miss Hattie Hall, stenographer at Montag Bros. and occasionally employed at the National Pencil Factory.

Dorsey and Hooper were objecting strenuously to the admission of a phone conversation between Frank and Miss Hall in which Frank was reported to have asked Miss Hall to come over to the pencil factory to assist in the clerical work, saying: "I've got so much work to do that it will take me until 6 o'clock to get it done."

Hooper, after the Solicitor had objected to the question on the ground that it was self-serving and proved nothing, declared that the conversation not only was self-serving, but was made in deliberate anticipation of Mary Phagan's visit to the factory in the afternoon.

"This remark was made on Saturday morning, the day after Mary Phagan's pay envelope was refused Helen Ferguson," said Mr. Hooper. "It was made in anticipation of her visit in the afternoon. It is the State's contention that Frank deliberately pre-arranged corcumstances favorable to an attack upon the girl and incidents serving to divert any suspicion from himself."

That the State was working upon the theory of premediation was hintd by the questioning of Helen Ferguson several days ago.

TYPIST LEFT THE FACTORY AT 12:02 P. M. ON DAY OF TRAGEDY

Miss Hattie Hall Testifies for the Defense and Is Grilled by Dorsey

RESIDENTS OF DALTON'S HOME COUNTY RIDDLE HIS CHARACTER ON STAND

Continued From Page 1.

but Attorney Hooper's address to the court was the first open declaration.

The court and chaingang record of C. B. Dalton, a State's witness against Frank, was given an airing by Attorney Arnold. Dalton was recalled to the stand and made to dmit tht he had been sent to the chaingang in 1894 on three separate counts for stealing in Walton County.

Dalton also admitted that he had been indicted in 1899 in Walton County for theft and had paid a fine of $141.46.

Attorney Arnold showed the witness copies of four indictments and asked if he knew these had been issued against him in Walton County for selling liquor to Don Tillman and Bob Harris. Dalton denied all knowledge of the indictments

Witnesses Assail Dalton's Character.

As soon as Dalton left the stand V. S. Cooper, J. H. Patrick, W. T. Mitchell and I. M. Patrick, all residents of Walton County, were called to the stand and testified that they knew Dalton and that they wouldn't believe him on oath in a court of justice.

Misses Laura Atkinson and Minnie Smith were called and denied Walton's testimony in regard to being in their company.

Dalton testified, when he was called by the State last week, that he had visited the factory basement with Miss Daisy Hopkins and that he frequently had seen Frank in his office with women.

An unassailable alibi was the object in view when the attorneys for Frank began the questioning of a long line of witnesses who were called to testify in regard to every known movement of Frank Saturday, April 26, the day that Mary Phagan was slain.

The testimony of Miss Hattie Hall was the first along this line. That of Alonzo Mann, office boy, was next.

C. E. Pollard, an expert accountant, was the first witness called. He began to testify as to the time required to make out the finance sheet. Attorney Rosser said that the defense probably would conclude its expert testimony with Mr. Pollard, and that Miss Hattie Hall, stenographer for Montag Brothers, would be the next witness.

Pollard testified that the minimum time in which Frank could have compiled the finance sheet was three hours and eleven minutes. This bore out the testimony of Herbert Schiff, Frank's co-worker, and Joel Hunter, expert accountant.

Over Three Hours To Compile Report.

Q. What is your business?—A. Certified public accountant.

Q. Have you had occasion to go over the financial sheet of the National Pencil Company of the week of April 24 prepared by Leo M. Frank? A. I went over a copy of it.

Q. Have you also seen the factory record called the pencil sheet?—A. Yes.

Q. Were you also furnished data necessary to make that sheet?—A. Yes.

Q. I will get you to state as an expert how long it would take to complete it?—A. I took each sheet, compiled it, and timed myself as to the length of time necessary. I prepared the sheet of the 24th day. It took me ten minutes.

Q. Were there any mistakes?—A. Yes, a little one—of one and one-half gross. It was hard to say whether it was my mistake or his.

Q. Now state the total time it took you?—A. A total of 191 minutes, or 3 hours and 11 minutes.

Q. Was that the quickest?—A. Yes.

Q. In other words, you took exactly the work that he did?—A. Yes; what I was told he did.

Q. That was steady work without interruption, wasn't it—A. Yes.

Q. How long have you been an auditor?—A. Sixteen years.

Q. Have you an office here?—A. I am with the American Audit Company.

Q. That mistake occurred before you took up the sheet, did it not?—A. One mistake was made the Saturday before and one on Friday.

Q. Are those two trifling mistakes—a mistake of 50 cents and a gross and a half of pencils—the only mistakes you found?—A. Yes.

Attorney Hooper took the witness on cross-examination.

Q. Mr. Pollard, this is rather an unusual assignment for you, is it not, to go over a man's business and undertake to state how long it takes him to do it?—A. No, I think not. Frequently we are called on to estimate the time it takes to do work in changing systems.

Q. Is it not true that a man can work his own books better than anyone else's books?—A. Yes.

Mr. Arnold took the witness.

Q. How many times would a man have to multiply, divide and subtract in making up that sheet?—A. Well, 40 multiplications and 160 additions, and I can't guess on the rest.

The witness was excused and Miss Hattie Hall was called. She was questioned by Attorney Arnold.

Q. What is your business?—A. Stenographer-bookkeeper at Montag Brothers.

Q. Do you ever go to the National Pencil Company?—A. When necessary.

Q. On Saturday, April 26, did you see Leo M. Frank?—A. About 10 o'clock at Montag Brothers.

Q. Did he say anything?—A. Yes, he asked me if I could come over and do some work. I told him I didn't know, but thought I could.

Dorsey interrupted:

"I object to anything he said to her."

Arnold: "Your honor, it is part of res gestis in this case."

Dorsey: "Here is this dead girl. They would not let her show what she said at 12 o'clock and I can conceive of no principle of law that would let them show what this man said and not let her show what the deceased said."

Aimed to Show Conduct.

Arnold: "This is merely to show a course of conduct."

Judge Roan: "I can see no analogy between the two cases. I rather think you can ask the question."

Dorsey: "Well, this is a very important point, your honor, and we would like to give you some authorities."

Judge Roan: "All right."

Dorsey then read at length from the Eighty-fourth Georgia Report.

Judge Roan: "Do you expect to follow that question by showing that he had certain work to do and engaged her to do it?"

Arnold: "Yes."

Judge Roan: "Then I will let you ask it."

Dorsey threw his book on the table and sat down, laughing. Arnold continued the questioning.

Q. When did you call him first?—A. He called me up before 10 o'clock and said he had work enough to do to keep him busy until 6 o'clock.

Dorsey: "Is your honor going to let that telephone conversation in?"

The Solicitor's objection was overruled.

Q. Miss Hall, did you recognize his voice?—A. I certainly did.

Q. What time did you see him that Saturday morning?—A. About 10 o'clock.

Q. Had you worked for him before?—A. I had been accustomed to going over and helping him on Saturdays. I asked him if he was going to need me. He said, "Yes," that he had so much work to do that he would be busy until 6 o'clock.

Dorsey Calls Halt; Frank Leaves Court.

Dorsey interrupted. "You honor, are you going to let that in?"

Judge Roan: "I don't think I will."

Arnold: "Your honor, I wish you would let me argue for a moment. Even the State does not claim any crime was committed at that time. There is no reason in the world to suppose that the accused would not have told the truth at that time. I believe that if a part of the conversation is admissible, all of it is admissible. You must admit it all to explain part. You would do this young man an injustice to shut out this evidence of this day's program, when there was not the slightest motive to be otherwise than truthful."

Frank at this moment left the courtroom and Hooper jumped to his feet for a whispered conference with Arnold.

Arnold—Yes, I waived his presence.

Judge Roan—I excused the prisoner properly.

Hooper—I just wanted to know if the defense had waived his presence.

Q. Now, we only have ten orders here. See if they are the ones Frank handed you?—A. Yes. My initials are on them. They are the ones.

Q. Now, the orders are sometimes acknowledged as the first step?—A. Yes; in that case they were.

Q. Do you recall to whom Frank was talking that morning?—A. Yes, but I don't recall the names. A man and his son came in. Then there was Miss Corinthia Hall and Mrs. White.

Q. Do you recall what any of them said?—Yes; Mrs. White said she wanted to see her husband.

Q. During this time was Mr. Frank working on this financial sheet or any other similar document?—A. He was not.

Q. Are you familiar with his handwriting?—A. Not very.

Q. I will get you to look on this order book and see if those orders are entered.

The wintess read the eleven orders from the order book.

Q. Now, is that your handwriting?—A. No; I think it is Mr. Frank's.

Q Did you write any of these requisitions?—A. No.

Q. Do you know who did?—A. I understood Mr. Frank did.

Q. Were the requisitions made before or after the orders were put on the book?—A. After.

Left Factory At 12:02 P. M.

Q. Now look at these letters and see whether Frank dictated them?—A. Yes.

Q. How many?—A. Eight, and one he did not dictate.

Q. Did he sign them?—A. Yes, I took them to him after I had typed them.

Q. Did he do any work on that financial sheet while you were there?—A. No.

Q. What time did you leave?—A. Just as I got on my hat and started for the door I heard the whistle blow for noon.

Q. Is there a regular whistle that blows for 12 o'clock?—A. Yes, there are several whistles.

Q. What did you do then?—A. I got to the bottom of the steps and remembered that I had forgotten my umbrella. I went back and got it. It was two minutes past 12 o'clock as I passed the time clock.

Q. Did you see any little girl in the building?—A. I did not.

Dorsey took the witness on cross-examination.

Q. Did you call Frank or Frank call you that Saturday morning?—A. I called him.

Q. He had a regular stenographer, didn't he?—A. They had a stenographer, but she didn't do but about one-third enough work, so I had to go.

Q. Miss Hall, what were you receiving at that time?—A. Ten dollars and fifty cents a week.

Q. What are you getting now?—A. Fifteen dollars a week, and I want to explain——

Q. Never mind, just answer my questions. Didn't you state in a soda fountain last night that the raise came to you without asking for it after it was known that you were to be a witness?—A. Indeed, I did not. I don't go to soda fountains. I want to explain.

Attorney Arnold—Let her explain.

A. I insisted that they give me this raise on July 1, but they wouldn't give it to me until August 1.

Q. Did Frank come to Montag's before or after he called you up?—A. After.

Q. You are the one who called him up?—A. Yes.

Q. You did the insisting about going to his office?—A. I certainly did not.

Q. Did you not swear at the Coroner's inquest that Frank left Montag's before you did?—A. I said I did not recall.

Q. You acknowledged these orders with a postcard and letter?—A. Yes.

Q. You wrote those between 10:30 and 12?—A. Yes.

Q. Did you state to the jury Frank left before you did?—A. I don't recall.

Q. How long would it take you to fill out the blank?—A. I never timed myself.

Talked Over Time With Office Boy

Q. Didn't you swear before the Coroner that it would not take more than one minute?—A. I don't know.

Q. Did you say Frank was at the office when you got there?—A. I said I did not recall.

Q. Who came in while you were there?—A. Two men and three women.

Q. What time was it the office boy left?—A. 11:30.

Q. Didn't you tell the Coroner you could not tell the time?—A. Yes.

Q. How do you know now?—A. The boy told me.

Q. You talked it over with him?—A. Yes.

Q. Where were you when those people came in?—A. In the outer office.

Q. How long were you there when these people came in?—A. I do not recall.

Q. Didn't you tell the Coroner it was fifteen minutes?—A. I don't remember.

Q. How long was it after those letters were dictated that you commenced writing?—A. Two minutes.

Q. Can you tell how long you were writing those letters?—A. No.

Q. When you were writing those letters, where was Frank?—A. In his office.

Q. After you finished, what did he do?—A. I took them in to him.

Q. Did he say anything?—A. He said he would put them in the envelopes and mail them.

Q. He said you need not wait?—A. Yes.

Q. Did you get anything there Monday?—A. I got the timebook and some papers.

Q. The previous Saturday when you were over there, do you remember Frank working on the financial sheet that morning?—A. No; I helped him get up something about gross—I found afterward it was the average sheet.

made it up. I helped him by transferring some of the things to the sheet?"—A. Yes, but I thought it was the financial sheet.

Q. Didn't you state at the coroner's inquest that you helped him the Saturday before?—A. Yes.

Herself, She Says, Found Her Error

Q. When was it you discovered it was not the financial sheet?—A. I don't know, but I want you to know I discovered the mistake myself.

Q. Now, were you not at the factory the previous Saturday and helped him?—A. Yes.

Q. Did you not have that financial sheet before you at the Coroner's inquest, and did you not identify it?—A. I don't think so.

Q. Well, you said he was working on the financial sheet that previous morning?—A. He was not.

Q. Did you not tell the Coroner's jury that you were in the outer office the entire time?—A. I don't know.

Q. Now explain how your mind underwent this change. You said then you were not in his office and now you say you were.—A. I was rattled before the Coroner, because I had never been in a courtroom before.

Q. Now, didn't you say in response to th equestion, "Do you know what a financial sheet is?" that you did?—A. But I was thinking of the average sheet.

Q. Now what did you mean by telling the Coroner some of those girls came in for their pay and now saying the only one you know anything about came in for her coat?—A. I just forgot.

Q. Now didn't Frank say that morning that he would not get up that sheet until Herbert Schiff came down and got up the necessary data? A. Yes, he said he could not go on with his work until Schiff came down.

Q. You do know that Frank said positively he could not make up that sheet until Schiff had gotten up certain data?—A. He did not positively say so. He said he did not mind Mr. Schiff being off if he had done his work, but that he had not done his work.

Q. Miss Hall, didn't you swear before the Coroner's jury that you worked on this financial sheet which is written in ink the Saturday previous, and now to-day you swear it was this sheet which is written in pencil?—A. I did not. I was identifying the handwriting on that sheet.

Q. You said lots of people wrote slanting, and it was hard to identify?—A. Yes.

Q. While you were working in Frank's outer office, you said he was very quiet and you did not know what he was doing?—A. Yes.

Q. You do not know whether he was working on the financial sheet or not?—A. Yes; I saw the papers on his desk that he was working on, and the financial sheet was not among them.

Attorney Arnold took the witness.

Q. Why did you tell Mr. Frank you had to get away at 12 o'clock?—A. He said something about wanting me to help him in the afternoon. I told him I had to get away at 12 o'clock, and I did get away at 12 o'clock.

Dalton's Prison Record Exposed.

Dorsey objected to the answer, but was overruled.

Miss Hall was excused and C. B. Dalton was recalled to the stand. Arnold questioned him.

Q. Who is Andrew Dalton?—A. A brother-in-law.

Q. With the same name?—A. Yes.

Q. Who is John Dalton?—A. He is my brother.

Q. Weren't you three sent to the chaingang at the special term of the Walton County Superior Court in 1894?—A. No.

Q. You were not?—A. I was, but the others paid out.

Q. What did you steal?—A. A chop hammer.

Q. Didn't you plead guilty to two more charges?—A. That is the only time I ever went to the chaingang. I don't know how long I served, but I was pardoned in March.

Attorney Arnold moved that the witness' reply in reference to being pardoned be struck from the records.

Q. Didn't you plead guilty to three charges all at the same time? And that the sentence was concurrent on the three charges?—A. All I took was a chop hammer. One of the other boys took a plow stock.

Q. At the February term of 1899, were you not indicted for stealing a bale of cotton?—A. For helping.

Q. Were you found guilty?—A. I was fined $146, which I paid.

Q. After that, did you not go into Gwinnett County and steal?—A. I was indicted for stealing some corn, but I was found not guilty.

Dorsey took the witness.

Q. How long since you were in trouble?—A. Eighteen years.

Dorsey to Recall Daisy Hopkins.

Arnold took the witness.

Q. Is it not a fact that there are now four indictments against you in Walton County for selling liquor?—A. If there are I don't know it.

Q. Is it not a fact that they let you get out of the county and were glad to get rid of you?—A. I have been back there every year.

Dorsey took the witness.

Q. Do you know that Daisy Hopkins knows Leo Frank?—A. I do.

Q. How do you know?—A. She told me she knew him, and then I saw her talking to him.

Arnold interrupted: "I object to what she said."

"That's all right, then," Dorsey replied. "I will recall her."

Dalton was excused and the defense began an attack on his character with witnesses from Walton County.

B. S. Cooper, the first witness called, was accompanied by a small boy of 6. He held the boy on his lap while he testified on the witness stand. Arnold questioned him.

Q. What is your business?—A. A farmer.

Q. How long have you been in Walton County?—A. Fifty years.

Q. Do you know C. B. Dalton?—A. I do.

Q. Do you know his general character?—A. I do.

Q. Is it good or bad?—A. Bad.

Q. Would you believe him under oath?—A. I would not.

Wouldn't Believe Him Under Oath.

At this point C. B. Dalton was called for but could not be found. Dorsey said he would admit that the witness was speaking of the Dalton who had testified against Frank. Hooper was excused and J. H. Patrick was called. Arnold questioned him.

Q. Where do you live?—A. In Walton County.

Q. What do you do?—A. Carpenter and bailiff.

Q. Have you seen Dalton here this morning?—A. I shook hands with him.

Q. Do you know his general character for truth and veracity and is it good or bad?—A. Bad.

Q. Would you believe him on oath? A. No.

The witness was excused and W. T. Mitchell was called. Arnold questioned him.

Q. Where do you live?—A. Walton County.

Q. Do you know C. B. Dalton?—A. Yes.

Q. Have you seen him this morning? A. Yes.

Q. Do you know his general character?—A. Yes.

Q. Would you believe him under oath?—A. No.

The witness was excused and I. M. Hamilton was called. Arnold questioned him.

Q. Where do you live?—A. Walton County.

Q. What is your business?—A. Farmer.

Q. Do you know C. B. Dalton?—A. Yes.

Q. Would you believe him under oath?—A. No.

The witness was excused and Miss Laura Atkinson, of No. 30 Ella street, Atlanta, a woman apparently 35 years of age, was called to the stand. Arnold questioned her.

Q. Where do you work?—A. At the Empire Printing Company.

Q. Did you ever work for the National Pencil Company?—A. Yes, for two days.

Denies Dalton's Story of Strolls.

Q. Do you know C. B. Dalton?—A. Yes.

Q. Did you ever walk home with him from the Busy Bee Cafe on Forsyth street?—A. I did not.

Q. Were you ever with him around the National Pencil Company?—

Dorsey interrupted: "I object," he said. "The witness said nothing that reflected on this woman."

Arnold: "It was a reflection for him to say that he was with her."

The objection was sustained.

Dorsey took the witness.

Q. How long have you known Dalton?—A. About six months.

Q. Were you ever in his company?—A. I have been in his company three times.

The witness was excused, and Mrs Minnie Smith called. Arnold questioned her.

Q. Where do you work?—A. National Pencil Company.

Q. Are you the Mrs. Smith who lives at No. 148 South Pryor street?—A. Yes.

Q. Are you the only Mrs. Smith at that address?—A. Yes.

Q. Do you know C. B. Dalton?—A. No.

Q. Were you ever in his company?—A. No.

Resents 'Weakling;' Wants to Box Heflin

NEW YORK, Aug. 12.—John Black, secretary of the Bronx Men's League for Woman Suffrage, has sent a letter to Representative J. Thomas Heflin, of Alabama, protesting against the characterization of men who believe in equal suffrage as effeminate and weaklings.

He says perhaps an offer to go ten rounds with the Congressman at some local club would please him, adding that some things have to be whipped into some men.

FARMERS' INSTITUTE.

ACWORTH.—The Cobb County Farmers' Institute, held in Acworth, was addressed by President A. P. McLain, of Acworth, and experts from the United States and State Departments of Agriculture. George M. Orr, of Acworth, was elected president, and Aubur Davenport, of Acworth, secretary for the ensuing year.

SULZER BATTLES IMPEACHMENT PROCEEDINGS

Fights for Political Life While Hostile Legislature Considers Charges Against Him.

ALBANY, N. Y., Aug. 12.—Governor William Sulzer's political life hangs in the balance to-day. Faced by a hostile Legislature, Governor Sulzer, with his back to the wall, fought with more vigor than he had pressed into any other contest in his long political career.

Before the Assembly convened to vote on the resolution that Sulzer should be impeached for "high crimes and misdemeanors" for the alleged private use of political funds and speculation in Wall Street, opponents of the Governor claimed to have enough votes to pass the resolution.

At least five of the judges of the Court of Appeals must participate in the impeachment trial, and supporters of Governor Sulzer rely upon the judicial rather than the legislative action of the proposed court of impeachment for a favorable decision in the involved case.

The resolution of impeachment, whose formulation is based on findings of the Frawley legislative committee, was introduced in the Assembly at 12:15 a. m., when 101 of the 150 members were present, but it was predicted that close to a full attendance would be on hand to-day. Democrats opposed to Governor Sulzer appointed committees to see that every member was in his seat.

Assemblyman Schaap, a Progressive, and Assemblyman Louis Gibbs, an independent Democrat, were the two nominal leaders of the pro-Sulzer forces, and they relied upon a good following of Republicans in their fight despite the fact that Governor Sulzer is a Democrat.

Beveridge Accused Of Forming Lobby

WASHINGTON, Aug. 12.—In an effort to minimize the connection between James Watson, former Representative from Indiana, and the National Association of Manufacturers, counsel for the latter association intends to show the Senate Lobby Committee that former Senator Beveridge, of Indiana, really was responsible for the organization of a tariff commission association to boost his own measure.

The National Tariff Commission Association was put on its feet by the National Association of Manufacturers officials, but only, they will seek to prove, after friends of Beveridge had laid the plans.

South Georgia Road In Receiver's Hands

VALDOSTA, Aug. 12.—The Valdosta, Moultrie and Western Railroad, operating 42 miles from this city to Moultrie, has been placed in the hands of a temporary receiver through foreclosure of a mortgage held by the Valdosta Bank and Trust Company, trustee, acting for the bondholder. B. P. Jones, of this city, owner of the $300,000 bonds, was appointed receiver and the railroad cited to show cause on August 23 why the action should not be made permanent.

The railroad was built entirely with local capital four years ago. It was started on a capital stock of $100,000. The $300,000 of bonds were issued before it was completed.

C. I. Harrel, general manager, will continue to operate the road for the receiver.

A WHOLESOME SUMMER DRINK
Horsford's Acid Phosphate
Better than lemons or limes—healthful and delicious. Refreshes and invigorates. Adv.

Funeral Designs and Flowers
FOR ALL OCCASIONS.
Atlanta Floral Company
455 EAST FAIR STREET.

EXPERT CONTRADICTS DR. HARRIS' TESTIMONY

Dr. George Bachman, Who Attacks Conclusions of State's Expert.

White Shirts

We have about 30 dozen or more White Negligee Shirts in beautiful corded madras material with cuffs attached, and a full range of sizes from 14 to 17 1-2, which will go on sale to-morrow morning at 70c each.

These are the celebrated "Eclipse" make and are "Genuine Bargains."

20 Doz. White Plaited Shirts, 75c

70 CENTS

Parks-Chambers-Hardwick Company
37-39 Peachtree Atlanta, Ga.

FRANK TRIAL WITNESS IS SURE, AT LEAST, OF ONE THING--A 'GOOD RAGGING'

By JAMES B. NEVIN.

Reader, proverbially gentle, if not always so, be glad, be joyful, and be filled with exceeding thankfulness that you have not been summoned, no matter which way, as a witness in the Frank trial!

Of course, there is a large, fat chance that you have been summoned—most everybody has—but be all those nice things aforesaid, if you haven't.

And even at that, knock on wood.

The trial is young yet—it is not quite three weeks old, three weeks, count 'em—and there still is time for somebody or other to remember that you may know something or other about something or other that may have something or other to do with the case.

Anyway, if you can't be glad and all the rest of it, be just as glad and as nearly all the rest of it as you can, while the being is good or in anywise promising.

If you are a witness in the Frank case, you are skating on about the thinnest ice ever—it makes no difference whatever whose pond you are skating on.

You are ambrosia and cake to one side and you likewise are gall and wormwood to the other—be very sure of that!

If your wife will have anything at all to do with you, and if the neighbors love you any more, when you get back home, it will be entirely because one side or the other forgot to mention the fact that once upon a time you were a horse thief, or somebody said you were a horse thief, or that you had an uncle who was a horse thief, or some pleasant little thing like that.

They don't care particularly whether you ever look like anything any more, after they get through with you down there in the big court nowadays.

Cross-Examining Is What Hurts.

Always on the direct examination, of course, the sledding is elegant.

The gentlemanly party then asking you gentlemanly questions wouldn't hurt your feelings for the world.

He knows you are a law-abiding citizen, and worthy of any trust. He dotes upon you. He loves you. He is your friend until that thing that now and then breaks loose in Georgia freezes over!

Mighty fine—but you haven't yet discovered what's coming to you!

Wait until the cross-examining attorney gets you in his demoniac clutches!

Far be it from him to remember that you have any kinfolks outside the penitentiary, or that you ever told a truth in your life.

He plainly but pointedly is perfectly willing to bet, right there, that you couldn't tell the truth in three trials, and he will lay you big odds on it, moreover!

Now, of course, the following is not precisely a sample of what has been going on in the courthouse of late, ever since the trial began, in fact, but it is about the way it must seem to many witnesses and spectators to have been, after the day is over and they undertake to recall the things that transpired.

"Mr. Witness," begins the cross-examiner, "you told the learned counsel (sarcastic smile) upon the other side, I believe, that you saw an owl sitting on the back fence about three minutes and two ticks past 8:34 on the night of the killing?"

"Mr. Witness" needn't be the least, tiny bit fooled by that "Mr." business—the cross-examiner would scorn to call a witness "Mister," more than once—after that, it merely is "You, Smith," or "Smith," or "Look here, now," or something snappy and snortish.

Witness: "I said I thought it was an owl—it looked like an owl."

Begins to Shake Finger.

Attorney: "W-H-A-T! Didn't you just now, in the presence of this erudite jury (shaking finger vigorously under witness' nose), swear positively (shake) and without reserve (shake), sir (shake, shake, shake), that it WAS (shake) an OWL?"

Witness: "Why-er-um-I couldn't swear it was an owl exactly—it has big eyes, anyhow!"

Attorney: "Big eyes? B-A-H! Also B-A-H, B-A-H! Likewise B-A-H, B-A-H, B-A-H!! Then (very sarcastically) it might have been a cat, eh?"

Witness: "Well, sir (very apologetically). I don't think it was a cat—it didn't say 'Meow!'"

Attorney: "Come, come, person, I don't want to know what you THINK—how dare you think, anyway?—you didn't hang around there to HEAR whether it said 'Meow,' did you?"

Witness: "No, sir (very much abashed); I admit I didn't hang around. Owls make me nervous, anyway!"

Attorney: "I've no doubt (sardonic smile) they make you nervous! By the way, person, didn't one of your honorable ancestors (profound sarcasm) come over to this country with Captain Kidd, the well-known pirate?"

Witness: "Um, oh, I——"

Attorney: "Come, come now, answer me; speak right out; tell the truth, if you CAN; did he?"

Drags Wife Into Mix-Up.

Witness: "I really can not say, sir. You see that's been so long ago, and I wasn't there, either, and——"

Attorney: "Well, you won't (more finger shaking under witness' nose) DENY that one of your ancestors may have been a pirate, will you?"

Witness: "I-er-Hump-can't say. I'll ask my wife when I get home. Maybe she knows."

Attorney: "You'll ask you wife, will you? Is she your OWN wife?"

Here the Pleasant Lawyer gets up, and says:

"Your honor, I object to that question. What has a man's own wife got to do with this case?"

His honor doesn't answer right off the reel, so the other lawyer jumps up and withdraws the question.

This makes the witness feel pretty good, for he knew he had a wife when he left home that morning, but he doubts that he can swear positively to any such circumstance now.

Attorney, beginning cross-examination once more: "Let's go back to that owl. What sort of an owl was it, if (more sarcasm) it WAS an owl?"

Witness: "It LOOKED like a screech owl."

Attorney: "Well, a screech owl goes 'screech' and a hoot-owl goes 'hoot,' doesn't it?"

Witness: "I am not sure, sir. I think that's the way it is. I don't know much about owls."

Attorney, shocked almost speechless: "And here you have been telling this poor, unprotected, orphaned jury, these swell, elegant gentlemen, ALL about owls, and now you say you don't know anything about them."

Witness: "Well, ah, oh, I sup——"

Attorney: "Don't you know an owl is a member of the striges family?"

Witness: "Of the Who-ges family?"

Attorney: "Come, now, don't get gay with me, atom. Don't you know the owl is a member of the striges family?"

Witness: "Never met such a family. They don't live on my side of town."

Attorney: "Well, if you saw in the big dictionary that the owl is of such a family, would you say it was true?"

Witness, perking up a bit: "If I saw it in the city directory, I might believe it, but what's the dictionary got to do with it?"

Attorney, waxing superlatively sarcastic: "Will you, speck on the face of creation, kindly permit ME to ask the questions? All I ask of you is that you let ME do that, then YOU answer, if you CAN."

Then the Pleasant Lawyer gets up again.

It certainly is a relief to a witness when the P. L. arises to ejeculate a few broken observations. He is the only rainbow in sight, once things get going.

Pleasant Lawyer: "Your honor, I submit that the big dictionary itself is the highest evidence of what the big dictionary says. If the learned counsel on the other side (great gobs, clusters and festoons of sarcasm) wishes to know WHAT the big dictionary says about owls, screech or otherwise, let him tender the BIG DICTIONARY, and stop snarling and beefing at this gentlemanly, talented, honest and exceptionally bright witness!"

The witness thanks the pleasant lawyer for them kind words, all right, for they are the first he has heard in many hours.

Mean Attorney: "Well, animal, have you a big dictionary at home?"

Witness: "No, sir; the one I use is over in the State Library."

Pleasant Lawyer: "Now, then, your honor, since this accommodating witness has answered the questions, I move that the able (withering contempt) counsel on the other side be required to bring the State Library into court, or shut off their questions about owls. I move to strike from the record everything this downtrodden witness has said about owls, unless the State Library be brought over and handed to the jury for inspection."

Mean Attorney: "Does your honor mean to tell me—ME—that I must bring the entire State Library into court, in order to prove that an owl is a member of the striges family, merely because this stubborn and evidently partisan witness will not say?"

His honor, sighing, patiently: "Well, gentlemen, what has this aforesaid and hereinbefore mentioned owl TO DO WITH THIS CASE, ANYWAY?"

Mean Attorney, getting red in the face, probably about to explode with righteous indignation: "What has it to DO with the case? Why, your honor, opposing counsel brought out the question of owls. Didn't this witness, brazenly and with palpable malice aforethought, say to this grand and magnificent jury that when he went home last Thanksgiving night he saw an owl sitting on the back fence?"

The Grand Climax.

Pleasant Attorney: "I don't think the gentleman said Thanksgiving night; I think it was Christmas. It makes a lot of difference in the matter of seeing things at night, as your honor may know, or—er—may have heard, whether it be Thanksgiving or Christmas. Besides, he didn't say he saw an owl sitting on the back fence. He merely said he went home that night on an owl car."

Everything about owls, the owl car and the back fence is ruled out, and the Mean Lawyer sits down, evidently greatly chagrined and angered.

And the witness?

About all the witness hopes as he leaves the stand is that his wife at home—if she's still there—loves him, anyway, and will continue to think well of him hereafter, notwithstanding the fact that he has been a witness in Atlanta's most famous murder trial.

It makes no difference whatever which side summons you to testify in the Frank case, it's tough luck! You can't win.

You will be made to wish you never had been born before they get through with you—that's the surest thing you know!

PENCIL FACTORY GIRL WHO WILL TESTIFY FOR THE FRANK DEFENSE

Eula May Flowers, Who Will Testify for Frank.

Attacks on Dr. Harris Give Defense Good Day

The defense had what was probably its best day on Monday. Medical experts were on the witness stand the larger part of the day. The purpose of their testimony was to knock down, one after another, the sensational statements of Dr. H. F. Harris, secretary of the State Board of Health. All of the witnesses joined in ridiculing every important theory or conclusion that was reached by the distinguished chemist and physician.

Experts for Defense.

These are the medical experts called by the defense to combat the testimony of Dr. Harris:

Dr. Willis F. Westmoreland, first president of the Georgia State Board of Health, and president of the Atlanta College of Physicians and Surgeons.

Professor George Bachman, demonstrator in physiology at the Atlanta College of Physicians and Surgeons; formerly one of the faculty of the Jefferson Medical College, Philadelphia.

Dr. T. H. Hancock, a specialist in surgical practice.

Dr. J. C. Olmstead, a graduate of Columbia University, and a practitioner in Atlanta for 32 years.

Here is a summary of Dr. Harris' theories on the death of Mary Phagan and the consensus of the four medical experts' opinions in regard to the theories:

How Views Clashed.

Mary Phagan came to her death within half or three-quarters of an hour of the time she ate her meal of cabbage and wheat bread at home. The condition of the cabbage shows it had been in her stomach no longer than that when death stopped the digestive processes.

"No man in the world could examine those specimens of cabbage and tell either from their condition or from the conditions found in the stomach of the murdered girl nine days after death within hours of the time that elapsed between her meal and her death."

The wound on the back of the girl's head indicates that she was knocked unconscious and later strangled to death.

Called Reckless Conjecture.

"From the data at hand, it is absolutely impossible to tell that the wound on the head caused unconsciousness. It is only a rash and reckless conjecture."

Mary Phagan was the victim of criminal violence other than that superficially apparent.

"This is the most extraordinary surmise that could be imagined. As a matter of fact, he could not have told from the conditions he says were present that she was a victim of criminal violence, even if he had made the examination within a few hours after death, instead of nine days later."

Dr. Harris not only was buffeted about on account of his startling theories and conclusions, but because of his conduct in the case. Attorney Reuben Arnold asked Dr. Westmoreland what he would think of a physician or chemist who was called into a case like that of the Phagan murder; who made the examinations admittedly for the reason that he "liked the Solicitor"; who conducted all of his analyses and experiments in absolute secrecy, who had not even a collaborator to check up on him, and who saved none of the material for the use of chemists who might be engaged by the defense.

Solicitor Dorsey at once made objection to the question.

"I don't know that the question is admissible, but it ought to be," retorted Arnold. "We wish to show that Dr. Harris has violated all of the ethics of his profession, as well as the principles of honesty and decency and fairness. A man's life is at stake, your honor. This case should not be affected by one man's word who deliberately has destroyed all of the material upon which he says he bases his theories."

Dr. Westmoreland was permitted to answer. He said:

"It is the ethical rule that a chemist or physician either call in another expert or preserve the specimens of his test."

Solicitor Dorsey endeavored to show that Dr. Westmoreland might be influenced in his testimony by a breach of professional relations with Dr. Harris which occurred some time ago.

Attempts to Show Dislike.

"How is you feeling toward Dr. Harris?" he asked. "Is it kindly or unkindly?"

The witness replied that it was neither one nor the other.

Asked by Attorney Arnold to go into the matter to which the Solicitor referred, Dr. Westmoreland said that he had preferred charges of scientific dishonesty against Dr. Harris and that the charges had been found well grounded, but were not regarded as sufficiently grave to warrant any action. He thereupon resigned from the State Board of Health, he said, leaving Dr. Harris in his position of secretary.

Joel Hunter, an expert public accountant, testified just before adjournment that it would have taken Leo Frank at least three hours to make up the financial sheet and balance his accounts on the day that Mary Phagan was murdered.

"That wouldn't have given him much time to go to the ball game, would it?" inquired Attorney Hooper.

It is the theory of the State that Frank was planning to go to the ball game Saturday afternoon and that he compiled practically all of the financial sheet Saturday forenoon. This is in opposition to the contention of the defense that Frank did all of the difficult mathematical work in the afternoon, something he could not have done had he just committed a brutal murder.

People's Cry for Justice Is Proof Sentiment Still Lives

By L. F. WOODRUFF.

There is as much sentiment in the world to-day as there was in 1861 or 1776 or 1492 or 1066 or any other date that may come to your recollection.

It's not fashionable to say so, but it's true. People to-day are too prone to accuse themselves and their neighbors of being worshippers of Mammon and declaring that the money-grubbing instinct has crushed out sentiment, patriotism and honesty.

But right now in Atlanta, there is a striking example of the goodness that is man's to-day, just as much as it has ever been.

It is the one bright spot in the hideous slaying of Mary Phagan and the terrors of the trial of Leo Frank.

More people are interested in the case probably than in any criminal action the South has ever known. They are thrilled by it, for they knew that the officers of the law and the Government of the State are spending thousands of dollars to find the man guilty of her murder and punish him.

Had Mary Phagan been of a prominent house, had she been wealthy, had her family or friends been influential there would be no room for comment.

The cynic could say, "Oh, she was a rich girl, what chance would there be for a child of the masses?"

But the Phagan case gives this the lie.

Mary Phagan's family is not wealthy. It is not prominent. It is not influential.

And still the great public has arisen with a demand that can be heard the length and breadth of the nation that her slayer be found and punished.

Had Mary Phagan been a princess of Peachtree instead of just a little Atlanta girl—as good as she was pretty—who had to struggle to make her living, the sentiment would not have been half so fervid.

The sympathy that has gone out to her and her family is a lasting proof of Atlanta's and the South's democracy.

Augusta to Share Crop-Moving Fund

AUGUSTA, Aug. 12.—Albert S. Hatch, president of the Merchants' Bank and a member of the committee of the Augusta Clearing House Association, sent to Washington to confer with Secretary McAdoo, of the Treasury Department, in regard to money with which to move the crops, has returned and announces that Augusta spoke for $600,000, which she will get if she wants it. Hatch said Augusta could have probably gotten more had she asked for it.

Georgia J. O. U. A. M. In Session at Macon

MACON, Aug. 12.—The nineteenth biennial convention of the Junior Order of United American Mechanics met here to-day with about 150 delegates, representing the various councils in the State, in attendance.

It is probable that the next meeting will go to Athens, and that Benjamin J. Symons, of Savannah, will be elected councilor to succeed Judge W. W. Shepard, of Savannah. O. H. Puckett, of Atlanta, state treasurer, is assured of re-election.

Extra Police to Curb Thieves Bryan Day

STROUDSBURG, PA., Aug. 12.—Expecting an unusual representation of pickpockets when William J. Bryan makes his chautauqua address here, August 28, the borough fathers, at their regular monthly council meeting, have taken decided action.

Secretary Williams was directed to ask Superintendent Groome to have the State constabulary here on Bryan day. The occasion is expected to draw a larger crowd than any circus day in the last 25 years.

900 Young Women Ask to Join Army

Special Cable to The Atlanta Georgian.

PARIS, Aug. 12.—The War Minister has received a petition from 900 young Frenchwomen who ask to be allowed to join the army in the auxiliary services.

They declare they are prepared to submit absolutely to military discipline, adding that their dearest hope is to consecrate part of their youth to France, and thus co-operate with their brethren in the national defense.

"Poor Old Dad," Poem Touches Ham Lewis

WASHINGTON, Aug. 12.—Senator James Hamilton Lewis isn't the Lewis who is advocating a "Father's Day," although hundreds of correspondents think he is; but—

He has received a copy of a song from a man in Decatur, Ill., entitled "Poor Old Dad." The chorus ran:

No, it isn't meant to slight him,
But it looks a little sad;
All the bouquets made for Mother,
Not a bloom for Poor Old Dad.

"Poor Old Dad!" sighed Senator Lewis. "Now I know we must do something for him."

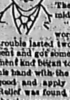
SUICIDE BY DYNAMITE.

ALTOONA, PA., Aug. 12.—Placing two sticks of dynamite in his vest pocket, Henry Boddt, 55, applied a match to the fuses and was blown to pieces.

RINGWORM SPREAD ALL OVER HAND

Itched So Scratched Till Bled, Screamed When Washed. Cuticura Soap and Ointment Cured.

R. F. D. No. 2, Box 67, Ellijay, Ga.—"My son's ringworm began on the back of his hand. A fiery red spot came about as large as a dime and it would itch so badly he would scratch it till it bled. It began to spread till it went all over his hand. He would just scream every time I went to wash it. The nail came off on the middle finger.



"I used —— and it got worse all the time. The trouble lasted two or three months, then I sent and got some Cuticura Soap and Ointment and began to use them. I would wash his hand with the Cuticura Soap and dry it good and apply the Cuticura Ointment. Relief was found in two or three days and the ringworm was cured in two weeks after using Cuticura Soap and Ointment." (Signed) Josie Parks, Jan. 4, 1913.

Not only are Cuticura Soap and Ointment most valuable in the treatment of eczemas and other distressing eruptions of skin and scalp, but they are also most effective in the treatment of pimples, blackheads, red, rough skins, itching, scaly scalps, dandruff, dry, thin and falling hair, chapped hands and shapeless nails. A single cake of Cuticura Soap (25c.) and box of Cuticura Ointment (50c.) are often sufficient when all else has failed. Sold by druggists and dealers throughout the world. Liberal sample of each mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

Men who shave and shampoo with Cuticura Soap will find it best for skin and scalp.

ODOR-O-NO

Makes Dress Shields Absolutely Unnecessary

Keeps the armpits fresh, dry and natural. No more faded and spoiled dresses and no more odor. Eliminates excessive perspiration from any part of the body.

Applied externally. Harmless, and guaranteed. 25c and 50c sizes. At all "live" dealers in toilet articles.

Manufactured exclusively by the ODOR-O-NO CO. Cincinnati, O.

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LAMAR & RANKIN, Distributors
CHAMBERLIN-JOHNSON DU BOSE
And other "Live" Dealers in Toilet Articles.
INSIST ON ODORONO—THERE'S NOTHING "JUST AS GOOD."

WONDERFUL HOW RESINOL CURED ITCHING HUMOR

New York, N. Y., May 19, 1913: —"I was taken with a terrible itching and burning in my hands. They would crack and bleed. I could not do my work. I had to walk the floors at night. I tried —— and ——, but no relief, until I used Resinol Soap and Resinol Ointment—then I could go to sleep. The Resinol treatment is something wonderful, for if you could see my hands, you would never think that they were ever sore—they are so nice and soft, and I can do all my work now." (Signed) Mrs. Wm. Sutherland, 135 East 71st St.

For 18 years Resinol has been a doctor's prescription and household remedy for eczema, ringworm, pimples, dandruff, wounds, burns, sores and piles. Resinol Ointment and Resinol Soap are sold by all druggists. Trial free; Dept. 5-R, Resinol, Baltimore, Md.

$6 WRIGHTSVILLE BEACH

Round trip Saturday, August 23. Special train, sleepers and coaches. Leave Old Depot 6 p. m. SEABOARD.

Davison-Paxon-Stokes Co.

475 New White Skirts in a Special Sale To-morrow at - - - - 85c

They Are $1 to $2 Skirts

Brand-new, every one of them—they will go into stock for the first time—for this special sale Wednesday—and they are such good skirts that not many who see them will let pass the opportunity to buy two, three or a half dozen.

They are beautifully made in about six stylish models, some with side inserts or plaits, all button-trimmed. The material is good pique, in wide and medium welts.

All sizes too—so that even very stout women may share this economy. The sizes are—22 to 36 waist, and 36 to 44 length.

Regular $1.00 to $2.00 Skirts—for your selection Wednesday at 85c each.

Women's Apparel Section—Fourth Floor.

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South Georgia
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PENCIL FACTORY GIRL WHO WILL TESTIFY FOR THE FRANK DEFENSE

Eula May Flowers, Who Will Testify for Frank.

M'CRORY IN HOT CLASHES OVER BOOK BILL

A ... in which Representative McCrory, of Schley County, charged Speaker Burwell with having failed to keep his promise in regard to placing the McCrory schoolbook bill on the calendar, followed by another in which McCrory shook a menacing finger at Representative Holtzclaw and warned him to "look out," enlivened the proceedings of the House Monday afternoon.

Mr. McCrory arose to a question of personal privilege shortly after the disposition of the "calf bill."

"I was promised by the Speaker of this House," he declared, "that he would place my schoolbook bill on the calendar for consideration to-day. He has not done it. I've heard enough about calves this afternoon to stock a book, and it seems to me that the members of the House consider calves more important than the 500,000 school children of Georgia.

Studied Opposition Charged.

"If any man loves a child better than he does a calf, let him help me get this schoolbook bill up for consideration. It looks to me like there is a studied effort to suppress my bill."

Speaker Burwell denied that he had promised Mr. McCrory to place his bill on the calendar.

"I did not state that I would have the bill placed at the head of the order for the day," replied the Speaker. "I told Mr. McCrory that I would request the Rules Committee to place his bill on the calendar, but not being the entire committee, I had no power to so place it. The bill was placed on the calendar for consideration to-day, but no one could foresee that the time of the House would be taken up by little things."

House Begins Move To Shorten Trials

A resolution providing for a commission of seven members to investigate the civil and criminal procedure of Georgia with a view to abolishing long-drawn-out trials and hearings was passed by the House Monday.

The commission will be composed of three members of the House, two of the Senate and two appointed by the Governor. Mr. Slater, of Bryan, in discussing the resolution, referred to the trial of Leo Frank as an example of the slowness of Georgia legal procedure.

Start on $1,000,000 High School in Fall

PULLMAN, ILL., Aug. 12.—Work on the buildings for the Pullman Technical High School, which will cost more than $1,000,000, will begin before the end of autumn, according to an announcement received by Pullman residents to-day.

The board appointed to administer the $1,200,000 bequest made by George M. Pullman for the school will meet here in October and decide upon the final details.

San Francisco Dry In Wee Sma' Hours

SAN FRANCISCO, Aug. 12.—For the first time in history, a restriction was placed on liquor traffic in San Francisco when the new law making it illegal to sell drinks between 2 a. m. and 6 a. m. went into effect.

The law was obeyed generally throughout California.

Negro Is Lynched by Mob at Laurens, S. C.

LAURENS, S. C., Aug. 12.—Overpowering the Sheriff, battering down two doors of the jail and a door to the steel cage, a mob of 2,000 dragged Richard Puckett, a young negro, from his cot and swung him to a railroad trestle.

The negro had attempted an assault on a young white girl Monday morning. He was later captured and confessed his guilt to the Sheriff.

Bloodhounds trailed the negro from the scene of the crime. The young woman could not positively identify the negro.

$900 in Prizes for Hog Exhibits at Fair

MACON, Aug. 12.—The announcement is made that $900 in prizes will be awarded for the best exhibit of Duroc Jerseys, Berkshire, Poland-China and Tamsworth swine at the Georgia State Fair.

The American Duroc-Jersey Swine Breeders' Association has just placed a cash prize with the fair association, and so has the American Berkshire Association. The fair association will distribute $685 and the Southwest Georgia Swine Breeders' Association also offers an award for the best pigs.

Electric Light Men To Meet in Macon

MACON, Aug. 12.—The annual convention of the Southeastern section of the National Electric Light Association, comprising the States of Georgia, Florida, Alabama and the Carolinas, will begin in Macon Thursday morning. About 400 electric light men are expected to attend.

Thursday night there will be a reception at the Dempsey Hotel and Friday a barbecue for the visitors at the Log Cabin Club. A number of prominent men are scheduled to make addresses.

TAX REFORM ACT PASSES IN SENATE

Question Put Squarely Up to the House—Validity of Slaton Revenue Bills in Doubt.

With the Senate substitute for the Sheppard House taxing bill back in the House for ratification after passage in the Senate in a night session Monday, and the possibility of the Administration taxing bills being thrown out on constitutional grounds, the wave of tax reform in this session of the Legislature reached its crest Tuesday morning.

Leaders in the Senate declared Tuesday morning that a serious doubt exists as to the constitutionality of presenting the three Administration taxing bills which were defeated in the House last week. The legal point is said to rest upon the constitutionality of presenting bills in one house after they have been defeated in the other. Should this opinion hold, the three bills offered for the Administration by Senators Miller, McNeill and Tarver will be thrown out and the Senate will rest on its laurels earned late Monday evening when the substitute to the Sheppard bill was passed, 29 to 12.

Question Put Up to House.

Senate leaders declared Tuesday morning that it was now squarely up to the Lower House to redeem itself and adopt the taxing bill as passed by the Senate. Should the House assume a generous attitude in the matter and ratify the Senate bill, the Senate in turn, the leaders of this body say, will put back the $280,000 appropriation which it sliced off of the House general appropriation bill last week. This can be done, it is claimed, without financially embarrassing the State Treasury with such a taxing law on the statute books as the Miller-Anderson bill passed by the Senate.

The bill provides for a State tax commissioner with offices in the State Capitol and county boards of tax assessors. According to the claims of the authors and supporters of the bill, it will increase the annual revenue of the State by at least $1,000,000, sufficient to pay off the present deficit within the next three years, as well as the teachers.

Passed After Hot Debate.

The bill was passed in the Senate after nearly five hours of debate Monday afternoon. Senator Miller, of the Twenty-fourth, joint author of the bill, made a vigorous defense of the measure in a two and a half hour speech, Senator DuBose, of the Thirtieth, followed Senator Miller in a vigorous attack on the bill. He declared the bill did not provide an adequate personal property tax.

Other Senators who spoke briefly in opposition to the bill were McGregor, of the Nineteenth, and Olliff, of the Fourth. Senator McNeill, in supporting the bill, charged that the Lipscomb bill, defeated in the House, had been framed by the Chamber of Commerce of Athens, the home town of Senator DuBose. It was for this reason, he intimated, that the Senator from the Thirtieth opposed the present bill.

Upon motion of Senator Tarver, the previous question was called and the final vote was taken. Following the vote, which was 29 to 12 in favor, President Anderson for the first time during the session congratulated the Senate. The bill was transmitted immediately to the House.

Postal Receipts Here Top 2 Larger Cities

Figures made public by Postmaster Hugh McKee show that the receipts for the last fiscal year at the Atlanta postoffice were greater than the offices at Louisville and New Orleans, both larger cities than Atlanta.

The receipts at the local office were $1,328,011.14, at New Orleans $1,182,361.72 and at Louisville $1,163,598.18.

BURSTING AIR TANK STUNS 7 MEN

Hurled Twenty Feet Against Wall, Pratt Laboratory Engineer Is Badly Cut.

W. H. Hutchins, No. 152 Confederate avenue, assistant engineer at the N. P. Pratt Laboratory, No. 88 Auburn avenue, was blown twenty feet against the side of the building Monday morning about 4:30 o'clock when a compressed air tank exploded while Hutchins and half a dozen negro workmen were filling it.

The negroes were also thrown against the walls, but none was injured.

Hutchins received several small cuts about his head and face, and was severely jarred. His key ring, which was attached to his belt, was blown off. It was found 50 feet from where the explosion cocurred.

The air tanks in the laboratory are about five feet long and two feet in circumference, and are used in the bottling operations. Four of them were being filled under the direction of Hutchins when the accident happened.

The explosion shook buildings a block away, and was heard a quarter of a mile. The noise and jar awoke practically every person in the neighborhood. Many parties rushed to the building expecting to find workmen dead or seriously injured. All of the men in the plant were slightly stunned and were just regaining their feet when the first of the rescuers arrived.

Police Sergeant Hewett, who was more than a quarter of a mile away, at Piedmont avenue and Houston street, heard the explosion and went to the factory. He took charge of the situation and sent Hutchins home. The negroes returned to their work.

"Poor Old Dad," Poem Touches Ham Lewis

WASHINGTON, Aug. 12.—Senator James Hamilton Lewis isn't the Lewis who is advocating a "Father's Day," although hundreds of correspondents think he is; but—

He has received a copy of a song from a man in Decatur, Ill., entitled "Poor Old Dad." The chorus ran:

No, it isn't meant to slight him,
But it looks a little sad;
All the bouquets made for Mother,
Not a bloom for Poor Old Dad.

"Poor Old Dad!" sighed Senator Lewis. "Now I know we must do something for him."

Extra Police to Curb Thieves Bryan Day

STROUDSBURG, PA., Aug. 12.—Expecting an unusual representation of pickpockets when William J. Bryan makes his chautauqua address here, August 28, the borough fathers, at their regular monthly council meeting, have taken decided action.

Secretary Williams was directed to ask Superintendent Groome to have the State constabulary here on Bryan day. The occasion is expected to draw a larger crowd than any circus day in the last 25 years.

900 Young Women Ask to Join Army

Special Cable to The Atlanta Georgian.

PARIS, Aug. 12.—The War Minister has received a petition from 900 young Frenchwomen who ask to be allowed to join the army in the auxiliary services.

They declare they are prepared to submit absolutely to military discipline, adding that their dearest hope is to consecrate part of their youth to France, and thus co-operate with their brethren in the national defense.

SUICIDE BY DYNAMITE.

ALTOONA, PA., Aug. 12.—Placing two sticks of dynamite in his vest pocket, Henry Boldt, 55, applied a match to the fuses and was blown to pieces.

Last Bill Passed By House Provides W.&A. Investigation

A bill providing for a commission of eight members to investigate the value of the Western and Atlantic Railroad and make recommendations for its lease was passed by the House of Representatives Monday afternoon, being the last House measure that will be passed during the present session.

The commission will be composed of two members from the House, two from the Senate, the chairman of the State Railroad Commission, and two civilians to be appointed by the Governor. The bill carries an appropriation of $5,000 for expenses.

The House also passed, by a vote of 120 to 8, the "blue sky" law, which requires registration of securities before stocks and bonds of a concern can be placed on the market. It is designed to prohibit the sale of "wildcat" stocks.

Disease Turns White Children Into Black

PHILADELPHIA, PA., Aug. 12.—Eighteen-month-old twin boys in the Children's Homeopathic Hospital are suffering from one of the rarest diseases known to medical science. It has changed their color from white to black.

The disease is pseudo leucamia, or Hodgkin's disease, and it is an affection of the lymphatic glands in which the number of white blood corpuscles is increased and the red blood corpuscles greatly diminished.

Girl's Face Crushed By Kick of Horse

DUBLIN, Aug. 12.—Martha Rawls, the five-year-old daughter of Mr. and Mrs. O. H. P. Rawls, of this city, has been carried to a hospital in Atlanta for an operation.

The little girl was playing around a horse belonging to her father when it kicked her, striking her left cheek and crushing both the upper and lower jawbones.

Physicians here removed the crushed bones, and later decided to carry the child to Atlanta for treatment in a hospital there.

Charlton Goes Back To Italy in Steerage

NEW YORK, Aug. 12.—Porter Charlton will be taken back to Italy next Thursday in the steerage of the steamer Re d'Italia.

A lieutenant and a brigadier of the Italian military police have been sent over to take charge of the prisoner and have notified the Italian Consul that they were instructed to get steerage tickets for their return journey.

State Pays $1 Per Minute for Prayers

MADISON, WIS., Aug. 12.—Prayers for the Legislature cost the State $843 during the session of 1913. Officiating chaplains receive $3 for each invocation. In the Assembly 153 invocations were offered, at a total compensation of $459, while in the Senate there were 218 invocations, costing $384.

Estimating the length of each of the 281 prayers at three minutes they cost $1 a minute.

Flies 800 Miles in Day Without Stop

Special Cable to The Atlanta Georgian.

BREMEN, Aug. 12.—Aviator Seguin, flying for the Pommery trophy, arrived here to-day after covering 800 miles on a non-stop flight. The Pommery trophy goes to the aviator making the longest cross-country flight between sunrise and sunset of the same day.

Revision of Balkan Borders Agreed To

Special Cable to The Atlanta Georgian.

VIENNA, Aug. 12.—Revision of the Balkan territorial boundaries in the peace treaty signed in Bucharest Sunday is likely, Germany having yielded in principle to-day to a reformation of the lines.

The fate of the Turkish islands in the Aegean Sea will be left to the powers.

THE WEATHER.
Forecast for Atlanta and Georgia—Fair Tuesday and Wednesday.

DEFENSE BEGINS ALIBI TASK; RELATIVES OF ACCUSED ARE CALLED

Having cuffed and battered the theories of Dr. H. F. Harris about to its satisfaction, the defense in the trial of Leo M. Frank settled down Tuesday to spend most of the day in establishing exactly where Frank was practically every minute Saturday, April 26, the date upon which Mary Phagan came to her death in the National Pencil Factory.

Among those to be called were Mr. and Mrs. Emil Selig, Frank's parents-in-law, who know of the time at which he left and arrived home the day of the tragedy; J. C. Loeb, who rode on the street car with Frank on his return to the factory in the afternoon; Miss Rebecca Carson, who met Frank on the street on his way to the factory, other acquaintances who saw him during the day, and employees at the pencil factory who know of some of his movements in the factory Saturday forenoon and afternoon.

For the first time since the trial began there were vacant seats in the courtroom when Tuesday's session opened. All who desired were given admittance, but there was room for many others.

The convening of court was delayed for several minutes because of await for Attorney Reuben Arnold. During that time Frank talked animatedly with his attorney, Luther Rosser. They stood in the middle of the courtroom and the prisoner seemed perfectly composed. Attorney Arnold arrived and asked that C. B. Dalton be called. He said he did not want him on the stand, but wanted to be sure he was there.

C. E. Pollard, an expert accountant, was the first witness called. He began to testify as to the time required to make out the finance sheet. Attorney Rosser said that the defense probably would conclude its expert testimony with Mr. Pollard, and that Miss Hattie Hall, stenographer for Montag Brothers, would be the next witness.

Pollard testified that the minimum time in which Frank could have compiled the finance sheet was three hours and eleven minutes. This bore out the testimony of Herbert Schiff, Frank's co-worker, and Joel Hunter, expert accountant.

The defense had what was probably its best day on Monday. Medical experts were on the witness stand the larger part of the day. The purpose of their testimony was to knock down, one after another, the sensational statements of Dr. H. F. Harris, secretary of the State Board of Health. All of the witnesses joined in ridiculing every important theory or conclusion that was reached by the distinguished chemist and physician.

Experts for Defense.

These are the medical experts called by the defense to combat the testimony of Dr. Harris:

Dr. Willis F. Westmoreland, first president of the Georgia State Board of Health, and president of the Atlanta College of Physicians and Surgeons.

Professor George Bachman, demonstrator in physiology at the Atlanta College of Physicians and Surgeons; formerly one of the faculty of the Jefferson Medical College, Philadelphia.

Dr. T. H. Hancock, a specialist in surgical practice.

Dr. J. C. Olmstead, a graduate of Columbia University, and a practitioner in Atlanta for 32 years.

Here is a summary of Dr. Harris' theories on the death of Mary Phagan and the consensus of the four medical experts' opinions in regard to the theories:

How Views Clashed.

Mary Phagan came to her death within half or three-quarters of an hour of the time she ate her meal of cabbage and wheat bread at home. The condition of the cabbage shows it had been in her stomach no longer than that when death stopped the digestive processes.

"No man in the world could ex-

Mourners Forget Corpse When 3 Are Killed at Funeral

MACON, Aug. 12.—The preacher, a deacon and one of the women mourners were killed in a shooting affair at a negro funeral at Round Oak, in Jones County, late yesterday afternoon.

The preacher stopped the services, upon hearing pistol shots near the church, and rushed out to quell the disorder. He was shot just as he stepped out of the doorway. The other two were killed in a general shooting affray that followed. The negro minister was T. M. Howard, of Macon.

In the excitement the funeral was forgotten, and the corpse lay in the church all night, but this morning another preacher was secured and the interment took place.

Sheriff Roberts went to Round Oak early this morning when news of the affair reached him at Grays.

Augusta to Share Crop-Moving Fund

AUGUSTA, Aug. 12.—Albert S. Hatch, president of the Merchants' Bank and a member of the committee of the Augusta Clearing House Association, sent to Washington to confer with Secretary McAdoo, of the Treasury Department, in regard to money with which to move the crops, has returned and announces that Augusta spoke for $600,000, which she will get if she wants it. Hatch said Augusta could have probably gotten more had she asked for it.

Georgia J. O. U. A. M. In Session at Macon

MACON, Aug. 12.—The nineteenth biennial convention of the Junior Order of the United American Mechanics met here to-day, with about 150 delegates, representing the various councils in the State, in attendance.

It is probable that the next meeting will go to Athens, and that Benjamin J. Symons, of Savannah, will be elected councilor to succeed Judge W. W. Shepard, of Savannah. O. H. Puckett, of Atlanta, state treasurer, is assured of re-election.

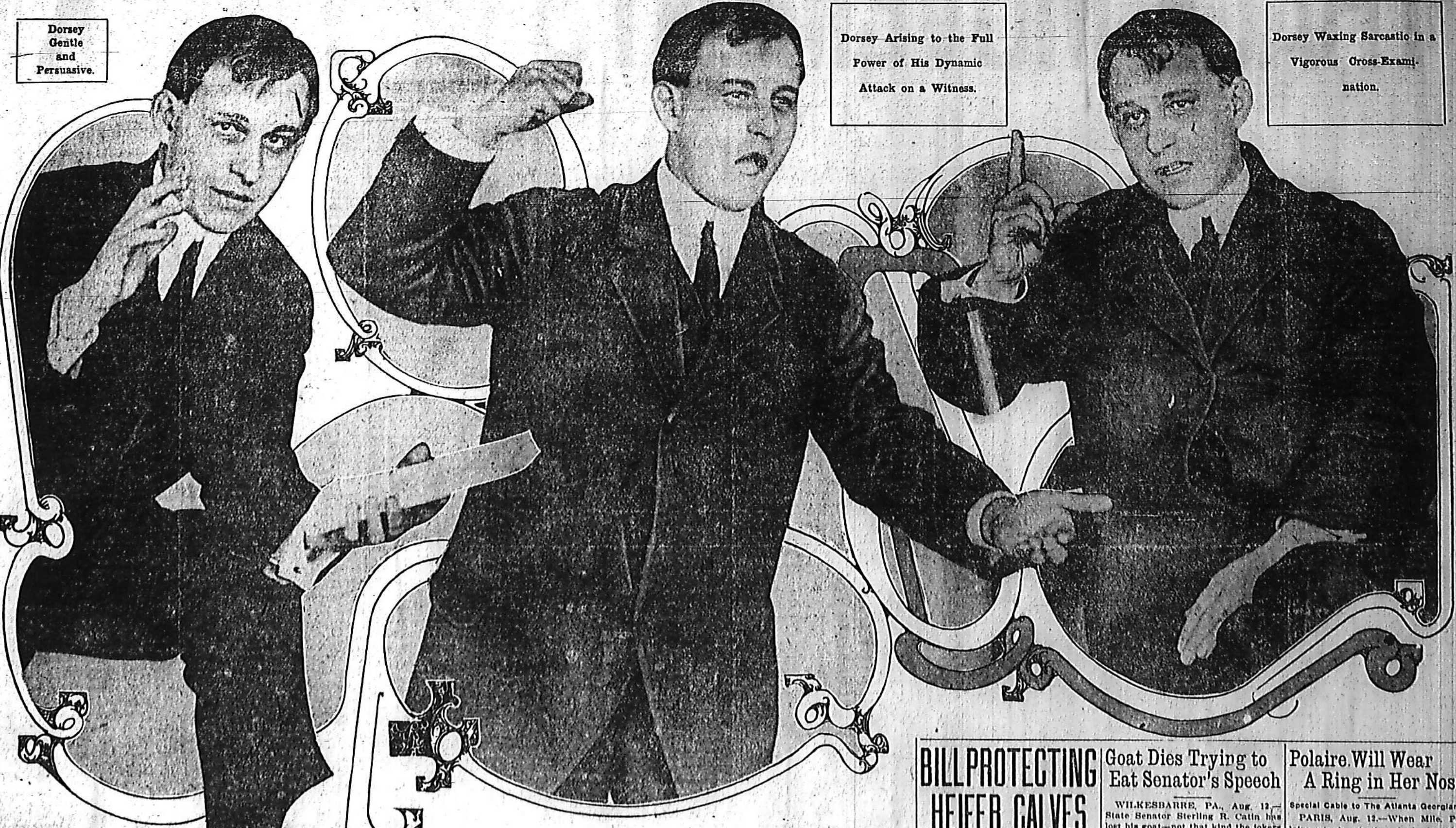
Slaying Ends Feud Of North Carolinans

ALEXANDER, U. C., Aug. 12.—A feud of four years' standing ended in the killing Monday evening of Dr. W. J. Clonts by O. M. West, a rural mail carrier. Three bullets were fired, either of which would have been fatal.

West met Dr. Clonts on the street and, with the remark, "I hear you said you would kill me on sight," drew a revolver and began firing.

West surrendered to an officer and later was carried to Asheville and lodged in jail.

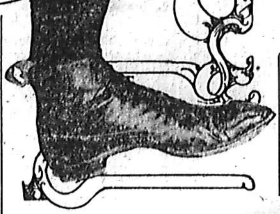
SOLICITOR HUGH DORSEY GRILLING WITNESSES IN FRANK CASE



Dorsey Gentle and Persuasive.

Dorsey Arising to the Full Power of His Dynamic Attack on a Witness.

Dorsey Waxing Sarcastic in a Vigorous Cross-Examination.



The Able Manner in Which Dorsey Has Handled Case Has Won Him a Reputation.

FRANK AIDED BY ACCOUNTANT'S TESTIMONY

Joel Hunter Declares Making of Report a Long, Hard Task, Requiring Skill.

Continued From Page 1.

amine those specimens of cabbage and tell either from their condition or from the conditions found in the stomach of the murdered girl nine days after death within hours of the time that elapsed between her meal and her death."

The wound on the back of the girl's head indicates that she was knocked unconscious and later strangled to death.

Called Reckless Conjecture.

"From the data at hand, it is absolutely impossible to tell that the wound on the head caused unconsciousness. It is only a rash and reckless conjecture."

Mary Phagan was the victim of criminal violence other than that superficially apparent.

"This is the most extraordinary surmise that could be imagined. As a matter of fact, he could not have told from the conditions he says were present that she was a victim of criminal violence, even if he had made the examination within a few hours after death, instead of nine days later."

Dr. Harris not only was buffeted about on account of his startling theories and conclusions, but because of his conduct in the case. Attorney Reuben Arnold asked Dr. Westmoreland what he would think of a physician or chemist who was called into a case like that of the Phagan murder; who made the examinations admittedly for the reason that he "liked the Solicitor"; who conducted all of his analyses and experiments in absolute secrecy, who had not even a collaborator to check up on him, and who saved none of the material for the use of chemists who might be engaged by the defense.

Solicitor Dorsey at once made objection to the question.

"I don't know that the question is admissible, but it ought to be," retorted Arnold. "We wish to show that Dr. Harris has violated all of the ethics of his profession, as well as the principles of honesty and decency and fairness. A man's life is at stake, your honor. His case should not be affected by one man's word who deliberately has destroyed all of the material upon which he says he bases his theories."

Dr. Westmoreland was permitted to answer. He said:

"It is the ethical rule that a chemist or physician either call in another expert or preserve the specimens of his test."

Solicitor Dorsey endeavored to show that Dr. Westmoreland might be influenced in his testimony by a breach of professional relations with Dr. Harris which occurred some time ago.

Attempts to Show Dislike.

"How is you feeling toward Dr. Harris?" he asked. "Is it kindly or unkindly?"

The witness replied that it was neither one nor the other.

Asked by Attorney Arnold to go into the matter to which the Solicitor referred, Dr. Westmoreland said that he had preferred charges of scientific dishonesty against Dr. Harris and that the charges had been found well grounded, but were not regarded as sufficiently grave to warrant any action. He thereupon resigned from the State Board of Health, he said, leaving Dr. Harris in his position of secretary.

Joel Hunter, an expert public accountant, testified just before adjournment that it would have taken Leo Frank at least three hours to make up the financial sheet and balance his accounts on the day that Mary Phagan was murdered.

"That wouldn't have given him much time to go to the ball game, would it?" inquired Attorney Hooper.

It is the theory of the State that Frank was planning to go to the ball game Saturday afternoon and that he compiled practically all of the financial sheet Saturday forenoon. This is in opposition to the contention of the defense that Frank did all of the difficult mathematical work in the afternoon, something he could not have done had he just committed a brutal murder.

24 Factories Take Space for Exhibits

Only seven days remain for exhibitors to lease space in the permanent manufacturers' exposition, to be held in the Chamber of Commerce Building. Twenty-four manufacturers have already contracted.

Tuesday the committee in charge visited the various manufacturers in the city. Meetings will be held each day until next Tuesday.

On each floor of the Chamber of Commerce Building occupied by the exposition, telephones and desk space will be provided for the transaction of business. A competent man will be employed to show visitors around.

Must Pay Alimony Or Serve Jail Term

MACON, Aug. 12.—D. F. Arnold, a contractor, has been given an extension to September 5, on or before which date he must pay $285 alimony to his wife or go to jail. When arraigned before Judge Mathews on a contempt charge because he had allowed the alimony to become in arrears, Arnold asked for more time, and the judge allowed him 27 more days. He is under order of the court to pay Mrs. Arnold $75 a month.

Two other Macon men have been put in jail in the last 30 days for not paying alimony.

LAMP EXPLODES IN CHURCH.

DALTON.—A big gasoline arc light installed in Dug Gap Church exploded just before services Sunday, the flames severely burning Luther Babb on the arm and inflicting minor burns on others.

South Georgia Road In Receiver's Hands

VALDOSTA, Aug. 12.—The Valdosta, Moultrie and Western Railroad, operating 42 miles from this city to Moultrie, has been placed in the hands of a temporary receiver through foreclosure of a mortgage held by the Valdosta Bank and Trust Company, trustee, acting for the bondholder, B. P. Jones, of this city, owner of the $300,000 bonds, was appointed receiver and the railroad cited to show cause on August 23 why the action should not be made permanent.

The railroad was built entirely with local capital four years ago. It was started on a capital stock of $100,000. The $300,000 of bonds were issued before it was completed.

C. I. Harrel, general manager, will continue to operate the road for the receiver.

Fires Bullets Into Bodies of Dead Men

TRENTON, TENN., Aug. 12.—Armed with two automatic pistols, J. A. Alford, a prominent citizen of Rutherford, shot and killed W. F. Coulter and his son, Harry Coulter, two prominent lawyers of this place. After the Coulters had fallen, Alford fired several bullets into their lifeless bodies.

Alford arrived on a M. and O. train and when he alighted he began firing on his victims.

Domestic trouble is said to have caused the killings. Alford surrendered to officers and was lodged in jail.

Kansas Heat Wave Unchecked by Rain

KANSAS CITY, Aug. 12.—New heat records were reported to-day from several cities in Kansas. Showers in some parts of Missouri, Oklahoma and Kansas failed to break the general wave of heat that has gripped this section of the country more than a week.

At Great Bend, Kans., a maximum temperature of 110 was reported yesterday. Joplin, Mo., reported 106 and Oklahoma City 102.

MASONIC CONVENTION.

ACWORTH.—The annual meeting of the Cobb County Masonic Convention was held at Powder Springs and fully 2,000 persons were in attendance. Among the speakers were Thomas H. Jefferies, past grand master of Georgia; N. H. Ballard, deputy grand master, and Wilber Colvin.

NEW MUSICAL JOURNAL.

EASTMAN.—The Musical Star, a new monthly musical journal published in this city, has just made its appearance. Professor A. M. Pace is managing editor. Associated with him are J. C. Lenderman, of McRae, and George W. Stapleton, of this city.

TODAY'S MARKET OPENING

NEW ORLEANS COTTON.

	Open	High	Low	First Call	Prev. Close
Aug.	.....	.....	.....	.....	11.44-47
Sept.	.....	.....	.....	.....	11.11-12
Oct.	11.09	11.11	11.02	11.10	11.07-08
Nov.	11.03	11.03	11.03	11.03	11.07-08
Dec.	11.09	11.09	11.08	11.09	11.06-07
Jan.	11.08	11.10	11.08	11.10	11.06-07
Feb.	.....	.....	.....	.....	11.03-05
Mch.	11.20	11.20	11.20	11.20	11.16-17
May	.....	.....	.....	.....	11.23-25

NEW YORK COTTON.

	Open	High	Low	First Call	Prev. Close
Aug.	11.60	11.61	11.60	11.61	11.61-63
Sept.	.....	.....	.....	.....	11.23-25
Oct.	11.03	11.08	11.02	11.07	11.33-35
Nov.	11.00	11.00	10.99	10.99	10.95-97
Dec.	10.98	11.03	10.98	11.03	10.96-98
Jan.	10.87	10.92	10.86	10.92	10.86-87
Feb.	.....	.....	.....	.....	10.88-89
Mch.	10.97	11.03	10.97	11.02	10.98-11
May	.....	.....	.....	.....	11.02-03

LIVERPOOL COTTON MARKET.

Futures opened steady.

	Opening Range.	2 P. M.	Prev. Close
Aug.	6.16	......	6.15½
Aug.-Sept.	6.08½	......	6.08
Sept.-Oct.	6.00	5.96½	5.99
Oct.-Nov.	5.95½	5.90½	5.95
Nov.-Dec.	5.92	5.91	5.90
Dec.-Jan.	5.01	5.92½	5.90
Jan.-Feb.	5.92	5.94	5.71
Feb.-Mch.	5.93½	5.55½	5.92½
Mch.-Apr.	5.95½	5.95½	5.94
Apr.-May	5.96	5.97½	5.95
May-June	5.95	......	5.96
June-July	5.97	......	5.96

NEW YORK STOCK MARKET.

Stock quotations to 10 a. m.:

STOCK—	High.	Low.	10 A.M.	Prev. Close.
Amal. Copper	72⅛	72⅛	72⅛	72¾
American Can	34½	34⅜	34⅜	34
Am. Locomo.	33½	33½	33½	33¼
Anaconda	36⅜	36⅜	36⅜	36½
Beth. Steel	36⅛	36¼	36⅜	38
B. R. T.	89⅛	89⅞	89⅞	89⅛
Can. Pacific	219½	219½	219½	218
Erie	29⅝	29⅝	29⅝	29¼
do. pref.	47½	47½	47½	47½
Interboro	16⅝	16⅝	16⅝	16⅝
do. pref.	61¼	61¼	61¼	61¾
K. C. S.	26⅝	26⅝	26⅝	26¼
Lehigh Valley	152¼	152¼	152¼	151¼
N. Y. Central	99⅜	99⅜	99⅜	99¼
N. and W.	106½	106½	106½	105⅞
North. Pacific	113	113	113	112⅞
O. and W.	29⅜	29⅜	29⅜	29⅝
Pennsylvania	113⅜	113⅜	113⅜	113⅛
Reading	160¼	160¼	160¼	160
Rep. I. and S.	25	25	25	24½
Rock Island	18¼	18½	18½	18⅜
do. pref.	30¼	30¼	30¼	29⅞
So. Pacific	92¼	92¼	92¼	92
So. Railway	25½	25½	25½	25¼
St. Paul	107½	107½	107½	109½
Tenn. Copper	31½	31¼	31¼	31
Union Pacific	154¼	154	154	153⅝
U. S. Rubber	61	61	61	60⅞
U. S. Steel	64	64	64	64
Utah Copper	50⅝	50⅝	50Z	50¼
Wabash	5½	5½	5½	4⅞
do. pref.	15	14⅝	15	14⅝

x—Ex-dividend 2½ per cent.

BILL PROTECTING HEIFER CALVES IS KILLED

House Wastes Time on Measure That Might Have Been Given Child Labor Act.

Take the child slaves, shackle them,
Throttle them if they laugh;
Enslave the women if you will,
But save my darling calf.

That was the burden of the song Monday afternoon in the Georgia House of Representatives—the same House of Representatives that has persistently refused to consider any measure to relieve the condition of the thousands of child-slaves in the State—when the legislators, for two hours, discussed solemnly and earnestly a bill designed to protect the heifer calves of the State from the persecutions of the butcher and the farmer by prohibiting the killing of the "innocent, pure-eyed little things"—that is what one member called them—until they have reached the mature age of 2 years.

Rhetorical thunderbolts were hurled by the champions of the calves at the heads of those who were determined that the last calf should be executed, to be met by bursting bombs of metaphor that shook the rafters and penetrated even to the farthest confines of the gallery; epigrammatic skyrockets threw their trails of fiery language into the running gears of the pinwheels of logic; the defenders of the calf hurled Biblical passages into the camp of the veal eaters, and the bloodthirsty members who wanted blood, red blood, delved into the poets and flung quotation after quotation into the very teeth of the advancing army of calfdom.

Bill Bleated—Then Died.

And after two hours the calf bill poked its head up through the maze of oratory and near-oratory, through the mud of condemnation and the whitewash of appreciation, gave one plaintive, despairing bleat, and died, 91 votes to 73.

Members who had viewed with equanimity and magnificent self-control the smothering of measures to aid the child-slaves felt impelled to rise in their might when the rights of the calf were assailed. Here's how some of them felt:

Mr. Conner, of Spalding—"If this bill is not passed, in five years cows will be as scarce as hens' teeth."

Mr. Ennis, of Baldwin—"Saving the calves is no laughing matter. If you had seen the slaughter of these innocent little things as I have you would vote aye."

Mr. Lloyd, of Newton—"This bill is the worst kind of class legislation. Why can't the bull calf have the same right to life, liberty and pursuit of happiness that is granted the heifer calf? A man's calves are his private property and should not be regulated."

Mr. Culpepper, of Meriwether—"Why is it these men want to protect the heifer calves and allow the bull calves to go to their doom, when it is a fact that the female of the species is more deadly than the male?"

Mr. Picquet, of Richmond—"The Bible says, 'Thou shalt not kill,' and it applies to calves as well as human beings. It makes my heart bleed to see these innocent little calves cruelly, brutally slaughtered to provide a veal eater's holiday."

"Prodigal" Is Provided For.

Mr. Shuptrine, of Chatham—"The bill should not pass under any circumstances. We have the Bible on our side, for it distinctly ordered that the fatted calf be killed for the prodigal son."

Mr. Spence, of Carroll—"I am outraged and indignant. This bill is the most diabolical bill I have ever seen. I vote NO!"

Mr. Wimberly, of Bibb—"To kill this bill means that the slaughter of the innocents will be continued, and what man, be he ever so strong, can endure the sight of the wild-eyed, bleating calf being led to the slaughter? There are 365,000 calves butchered in Georgia every year. If they were saved, think of the number of cows we would have in four years and the lowing herds that would wind slowly over the lea! Think of the rivers and lakes of milk, and if we can raise enough strawberries, think of the strawberries and cream we could have."

Mr. Berry, of Whitfield—"I arise to explain that I am not going to explain my vote."

The bill was introduced by Nelson, of Clayton, and favorably reported by the Committee on General Agriculture, of which Kimbrough, of Harris, is chairman.

Goat Dies Trying to Eat Senator's Speech

WILKESBARRE, PA., Aug. 12.—State Senator Sterling R. Catlin has lost his goat—not that kind the jokers like to tell about, but a real one named William.

Catlin kept his pet in the barn where he had stored many of the speeches made during his long term of service at Harrisburg.

The Senator went to the barn to admire William, and to his dismay, found the goat loose among his papers. One voluminous budget was protruding from his mouth. Despite all the Senator's efforts William choked to death. The fatal document was one of Catlin's greatest legislative propositions.

Polaire Will Wear A Ring in Her Nose

Special Cable to The Atlanta Georgian.

PARIS, Aug. 12.—When Mlle. Polaire, who boasts that she is the thinnest actress in the world, although she resented being called the ugliest by the New York papers—appears in America in the fall she will wear a large gold ring suspended from her nose to amuse New Yorkers with one more novelty.

She has had a ring skilfully fitted into her nose without piercing the flesh, so that she can remove the trinket when off the stage.

Toughest Town in Wyoming Is Closed

CHEYENNE, WYO., Aug. 12.—Jackpot, the toughest town in Wyoming, has been closed by the Sheriff, and its Mayor, Councilmen and inhabitants are either under arrest or have been driven out of the country.

Jackpot was a sort of half-way place, where whisky was sold to herders and others, and where gambling was carried on in open violation of the law.

The authorities left a Deputy Sheriff behind to see that Jackpot was not reinhabited

Resents 'Weakling;' Wants to Box Heflin

NEW YORK, Aug. 12.—John Black, secretary of the Bronx Men's League for Woman Suffrage, has sent a letter to Representative J. Thomas Heflin, of Alabama, protesting against the characterization of men who believe in equal suffrage as effeminate and weaklings.

He says perhaps an offer to go ten rounds with the Congressman at some local club would please him, adding that some things have to be whipped into some men.

Car Hits House and Jars Man From Bed

MUNCIE, IND., Aug. 12.—Albert E. Needham, alone in his big three-story residence, was thrown from his bed and the house was pushed from its foundation by the impact of a heavy interurban car against one corner of the structure to-day. Three men were injured.

The car was being taken to the barn when it jumped the track on a curve, swung across the sidewalk and crashed into the house.

FARMERS' INSTITUTE.

ACWORTH.—The Cobb County Farmers' Institute, held in Acworth, was addressed by President A. P. McLain, of Acworth, and experts from the United States and State Departments of Agriculture. George M. Orr, of Acworth, was elected president, and Aubur Davenport, of Acworth, secretary for the ensuing year.

WITNESS IS CERTAIN OF 2 THINGS---HE WILL GET FEE AND 'GOOD RAGGING'

By JAMES B. NEVIN.

Reader, proverbially gentle, if not always so, be glad, be joyful, and be filled with exceeding thankfulness that you have not been summoned, no matter which way, as a witness in the Frank trial!

Of course, there is a large, fat chance that you have been summoned—most everybody has—but be all those nice things aforesaid, if you haven't.

And even at that, knock on wood.

The trial is young yet—it is not quite three weeks old, three weeks, count 'em—and there still is time for somebody or other to remember that you may know something or other about something or other that may have something or other to do with the case.

Anyway, if you can't be glad and all the rest of it, be just as glad and as nearly all the rest of it as you can, while the being is good or in anywise promising.

If you are a witness in the Frank case, you are skating on about the thinnest ice ever—it makes no difference whatever whose pond you are skating on.

You are ambrosia and cake to one side and you likewise are gall and wormwood to the other—be very sure of that!

If your wife will have anything at all to do with you, and if the neighbors love you any more, when you get back home, it will be entirely because one side or the other forgot to mention the fact that once upon a time you were a horse thief, or somebody said you were a horse thief, or that you had an uncle who was a horse thief, or some pleasant little thing like that.

They don't care particularly whether you ever look like anything any more, after they get through with you down there in the big court nowadays.

Cross-Examining Is What Hurts.

Always on the direct examination, of course, the sledding is elegant.

The gentlemanly party then asking you gentlemanly questions wouldn't hurt your feelings for the world.

He knows you are a law-abiding citizen, and worthy of any trust. He dotes upon you. He loves you. He is your friend until that thing that now and then breaks loose in Georgia freezes over!

Mighty fine—but you haven't yet discovered what's coming to you!

Wait until the cross-examining attorney gets you in his demoniac clutches!

Far be it from him to remember that you have any kinfolks outside the penitentiary, or that you ever told a truth in your life.

He plainly but pointedly is perfectly willing to bet, right there, that you couldn't tell the truth in three trials, and he will lay you big odds on it, moreover!

Now, of course, the following is not precisely a sample of what has been going on in the courthouse of late, ever since the trial began, in fact, but it is about the way it must seem to many witnesses and spectators to have been, after the day is over and they undertake to recall the things that transpired.

"Mr. Witness," begins the cross-examiner, "you told the learned counsel (sarcastic smile) upon the other side, I believe, that you saw an owl sitting on the back fence about three minutes and two ticks past 8:34 on the night of the killing?"

"Mr. Witness" needn't be the least, tiny bit fooled by that "Mr." business—the cross-examiner would scorn to call a witness "Mister," more than once—after that, it merely is "You Smith," or "Smith," or "Look here, now," or something snappy and snortish.

Witness: "I said I thought it was an owl—it looked like an owl."

Begins to Shake Finger.

Attorney "W-H-A-T! Didn't you just now, in the presence of this erudite jury (shaking finger vigorously under witness' nose), swear positively (shake) and without reserve (shake), sir (shake, shake, shake), that it WAS (shake) an OWL?"

Witness: "Why-er-um-I couldn't swear it was an owl exactly—it has big eyes, anyhow!"

Attorney: "Big eyes? B-A-H! Also B-A-H, B-A-H! Likewise B-A-H, B-A-H, B-A-H!! Then (very sarcastically) it might have been a cat, eh?"

Witness: "Well, sir (very apologetically), I don't think it was a cat—it didn't say 'Meow!'"

Attorney: "Come, come, person, I don't want to know what you THINK—how dare you think, anyway?—you didn't hank around there to HEAR whether it said 'Meow,' did you?"

Witness: "No, sir (very much abashed); I admit I didn't hang around. Owls make me nervous, anyway!"

Attorney: "I've no doubt (sardonic smile) they make you nervous! By the way, person, didn't one of your honorable ancestors (profound sarcasm) come over to this country with Captain Kidd, the well-known pirate?"

Witness: "Um, oh, I——"

Attorney: "Come, come now, answer me; speak right out; tell the truth, if you CAN; did he?"

Drags Wife Into Mix-Up.

Witness: "I really can not say, sir. You see that's been so long ago, and I wasn't there, either, and——"

Attorney: "Well, you won't (more finger shaking under witness' nose) DENY that one of your ancestors may have been a pirate, will you?"

Witness: "I-er-hum-can't say. I'll ask my wife when I get home. Maybe she knows."

Attorney: "You'll ask you wife, will you? Is she your OWN wife?"

Here the Pleasant Lawyer gets up, and says:

"Your honor, I object to that question. What has a man's own wife got to do with this case?"

His honor doesn't answer right off the reel, so the other lawyer jumps up and withdraws the question.

This makes the witness feel pretty good, for he knew he had a wife when he left home that morning, but he doubts that he can swear positively to any such circumstance now.

Attorney, beginning cross-examination once more: "Let's go back to that owl. What sort of an owl was it, if (more sarcasm) it WAS an owl?"

Witness: "It LOOKED like a screech owl."

Attorney: "Well, a screech owl goes 'screech' and a hoot-owl goes 'hott,' doesn't it?"

Witness: "I am not sure, sir. I think that's the way it is. I don't know much about owls."

Misleading the Poor Jury?

Attorney, shocked almost speechless: "And here you have been telling this poor, unprotected, orphaned jury, these swell, elegant gentlemen, ALL about owls, and now you say you don't know anything about them."

Witness: "Well, ah, oh, I sup——"

Attorney: "Don't you know an owl is a member of the striges family?"

Witness: "Of the Who-ges family?"

Attorney: "Come, now, don't get gay with me, atom. Don't you know the owl is a member of the striges family?"

Witness: "Never met such a family. They don't live on my side of town."

Attorney: "Well, if you saw in the big dictionary that the owl is of such a family, would you say it was true?"

Witness, perking up a bit: "If I saw it in the city directory, I might believe it, but what's the dictionary got to do with it?"

Attorney, waxing superlatively sarcastic: "Will you, speck on the face of creation, kindly permit ME to ask the questions? All I ask of you is that you let ME do that, then YOU answer, if you CAN."

Then the Pleasant Lawyer gets up again.

It certainly is a relief to a witness when the P. L. arises to ejeculate a few broken observations. He is the only rainbow in sight, once things get going.

Pleasant Lawyer: "Your honor, I submit that the big dictionary itself is the highest evidence of what the big dictionary says. If the learned counsel on the other side (great gobs, clusters and festoons of sarcasm) wishes to know WHAT the big dictionary says about owls, screech or otherwise, let him tender the BIG DICTIONARY, and stop snarling and beefing at this gentlemanly, talented, honest and exceptionally bright witness!"

The witness thanks the pleasant lawyer for them kind words, all right, for they are the first he has heard in many hours.

Mean Attorney: "Well, animal, have you a big dictionary at home?"

Witness: "No, sir; the one I use is over in the State Library."

Pleasant Lawyer: "Now, then, your honor, since this accommodating witness has answered the questions, I move that the able (withering contempt) counsel on the other side be required to bring the State Library into court, or shut off their questions about owls. I move to strike from the record everything this downtrodden witness has said about owls, unless the State Library be brought over and handed to the jury for inspection."

Mean Attorney: "Does your honor mean to tell me—ME—that I must bring the entire State Library into court, in order to prove that an owl is a member of the striges family, merely because this stubborn and evidently partisan witness will not say?"

His honor, sighing patiently: "Well, gentlemen, what has this aforesaid and hereinbefore mentioned owl TO DO WITH THIS CASE, ANYWAY?"

Mean Attorney, getting red in the face, probably about to explode with righteous indignation: "What has it to DO with the case? Why, your honor, opposing counsel brought out the question of owls. Didn't this witness, brazenly and with palpable malice aforethought, say to this grand and magnificent jury that when he went home last Thanksgiving night he saw an owl sitting on the back fence?"

Pleasant Attorney: "I don't think the gentleman said Thanksgiving night; I think it was Christmas. It makes a lot of difference in the matter of seeing things at night, as your honor may know, or—er—may have heard, whether it be Thanksgiving or Christmas. Besides, he didn't say he saw an owl sitting on the back fence. He merely said he went home that night on an owl car."

Everything about owls, the owl car and the back fence is ruled out, and the Mean Lawyer sits down, evidently greatly chagrined and angered.

And the witness?

About all the witness hopes as he leaves the stand is that his wife at home—if she's still there—loves him, anyway, and will continue to think well of him hereafter, notwithstanding the fact that he has been a witness in Atlanta's most famous murder trial.

It makes no difference whatever which side summons you to testify in the Frank case, it's tough luck! You can't win.

You will be made to wish you never had been born before they get through with you—that's the surest thing you know!

$6 WRIGHTSVILLE BEACH

Round trip Saturday, August 23. Special train, sleepers and coaches. Leave Old Depot 6 p. m. SEABOARD.

LOWRY NATIONAL BANK

Capital $1,000,000

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EXPERT CONTRADICTS DR. HARRIS' TESTIMONY

Dr. George Bachman, Who Attacks Conclusions of State's Expert.

People's Cry for Justice Is Proof Sentiment Still Lives

By L. F. WOODRUFF.

There is as much sentiment in the world to-day as there was in 1861 or 1776 or 1492 or 1066 or any other date that may come to your recollection.

It's not fashionable to say so, but it's true. People to-day are too prone to accuse themselves and their neighbors of being worshippers of Mammon and declaring that the money-grubbing instinct has crushed out sentiment, patriotism and honesty.

But right now in Atlanta, there is a striking example of the goodness that is man's to-day, just as much as it has ever been.

It is the one bright spot in the hideous slaying of Mary Phagan and the terrors of the trial of Leo Frank.

More people are interested in the case probably than in any criminal action the South has ever known. They are thrilled by it, for they knew that the officers of the law and the Government of the State are spending thousands of dollars to find the man guilty of her murder and punish him.

Had Mary Phagan been of a prominent house, had she been wealthy, had her family or friends been influential there would be no room for comment.

The cynic could say, "Oh, she was a rich girl, what chance would there be for a child of the masses?"

But the Phagan case gives this the lie.

Mary Phagan's family is not wealthy. It is not prominent. It is not influential.

And still the great public has ariren with a demand that can be heard the length and breadth of the nation that her slayer be found and punished.

Had Mary Phagan been a princess of Peachtree instead of just a little Atlanta girl—as good as she was pretty—who had to struggle to make her living, the sentiment would not have been half so fervid.

The sympathy that has gone out to her and her family is a lasting proof of Atlanta's and the South's democracy.

GRADE ADDED TO SCHOOLS.

ACWORTH.—At a meeting of the board of education to-day it was ordered that an additional grade be added to the Acworth High School and the Smith Lemon Institute, and that the school be made to conform to all the requirements to become a State accredited school.

Florida Bankers on Auto Tour Visit Here

Two automobiles containing six prominent Florida bankers on vacation touring Georgia, Tennessee and South Carolina stopped off in Atlanta and are registered at the Hotel Ansley.

They are T. C. Taliaferro, W. M. Taliaferro, C. P. Taliaferro, Martin Banks Witham, Tod F. Gillett, C. E. Tafts and W. E. Hunt. All of the men are interested in Atlanta real estate.

Bulgarian Heir Is Ill; Poison Plot Reported

SOFIA, Aug. 12.—A mysterious illness has seized Crown Prince Boris of Bulgaria. It was announced to-day that the Crown Prince is suffering from a nervous breakdown due to the rigors of the recent military campaign.

In view of Czar Ferdinand's trepidation over the safety of his heir reports were current in some quarters that an attempt had been made to kill Boris with poison.

A WHOLESOME SUMMER DRINK

Horsford's Acid Phosphate

Better than lemons or limes—healthful and delicious. Refreshes and invigorates. Adv.

POPULAR EXCURSION TO WRIGHTSVILLE BEACH.

$6 round trip; six days; Saturday, August 23. Special train, sleepers and coaches. Leave 6 p. m. Make reservations early. SEABOARD.

WONDERFUL HOW RESINOL CURED ITCHING HUMOR

New York, N. Y., May 19, 1913: —"I was taken with a terrible itching and burning in my hands. They would crack and bleed. I could not do my work. I had to walk the floors at night. I tried —— and ——, but no relief, until I used Resinol Soap and Resinol Ointment—then I could go to sleep. The Resinol treatment is something wonderful, for if you could see my hands, you would never think that they were ever sore—they are so nice and soft, and I can do all my work now." (Signed) Mrs. Wm. Sutherland, 185 East 71st St.

For 18 years Resinol has been a doctor's prescription and household remedy for eczema, ringworm, pimples, dandruff, wounds, burns, sores and piles. Resinol Ointment and Resinol Soap are sold by all druggists. Trial free: Dept. 5-R, Resinol, Baltimore, Md.

BALTIMORE AND RETURN $20.95.

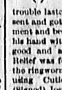
On sale August 22, 23, 24. Through steel trains. SEABOARD.

Funeral Designs and Flowers FOR ALL OCCASIONS. Atlanta Floral Company 455 EAST FAIR STREET.

RINGWORM SPREAD ALL OVER HAND

Itched So Scratched Till Bled. Screamed When Washed. Cuticura Soap and Ointment Cured.

R. F. D. No. 2, Box 67, Ellijay, Ga.—"My son's ringworm began on the back of his hand. A fiery red spot came about as large as a dime and it would itch so badly he would scratch it till it bled. It began to spread till it went all over his hand. He would just scream every time I went to wash it. The nail came off on the middle finger.



"I used —— and it got worse all the time. The trouble lasted two or three months, then I sent and got some Cuticura Soap and Ointment and began to use them. I would wash his hand with the Cuticura Soap and dry it good and apply the Cuticura Ointment. Relief was found in two or three days and the ringworm was cured in two weeks after using Cuticura Soap and Ointment." (Signed) Josie Parks, Jan. 4, 1913.

Not only are Cuticura Soap and Ointment most valuable in the treatment of eczemas and other distressing eruptions of skin and scalp, but they are also most effective in the treatment of pimples, blackheads, red, rough skins, itching, scaly scalps, dandruff, dry, thin and falling hair, chapped hands and shapeless nails. A single cake of Cuticura Soap (25c.) and box of Cuticura Ointment (50c.) are often sufficient when all else has failed. Sold by druggists and dealers throughout the world. Liberal sample of each mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

Men who shave and shampoo with Cuticura Soap will find it best for skin and scalp.

SEABOARD EXCURSION TO WRIGHTSVILLE.

$6 round trip. Saturday, August 23. Special train leaves 6 p. m.

KODAKS

"The Best Finishing and Enlarging That Can Be Produced." Eastman Films and complete stock amateur supplies. Ace for out-of-town customers. Send for Catalog and Price List.

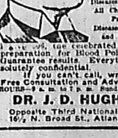
A. K. HAWKES CO. KODAK DEPT. 14 Whitehall St., Atlanta, Ga.

Are You Sick, Diseased, Nervous, Run Down?

Have You Blood Poison, Kidney, Bladder and Urinary Troubles?

IF SO, CONSULT (FREE)

Dr. Hughes, Atlanta's Long Established, Most Reliable Specialist.



I cure to stay cured NERVE, BLOOD and Skin Diseases, STRICTURE, Prostatic Troubles, VARICOCELE, HYDROCELE, Kidney, Bladder and Urinary Diseases, Piles and All Chronic and Private Diseases of Men and Women.

[illegible], the celebrated German preparation for Blood Poison, and Guarantee results. Everything absolutely confidential.

If you can't call, write. Free Consultation and Advice to all. HOURS—9 a. m. to 7 p. m. Sundays, 9 to 1.

DR. J. D. HUGHES Opposite Third National Bank. 16½ N. Broad St., Atlanta, Ga.

THIN FOR YEARS--"GAINS 22 POUNDS IN 23 DAYS"

Remarkable Experience of F. Gagnon. Builds Up Weight Wonderfully.

"I was all run down to the very bottom," writes F. Gagnon. "I had to quit work, I was so weak. Now, thanks to Sargol, I look like a new man. I gained 22 pounds in 23 days."

"Sargol has put 10 pounds on me in 14 days," states W. D. Roberts. "It has made me sleep well, enjoy what I ate and enabled me to work with interest and pleasure."

"I weighed 132 pounds when I commenced taking Sargol. After taking 20 days I weighed 144 pounds. Sargol is the most wonderful preparation for flesh building I have ever seen," declares D. Martin, and J. Meier adds: "For the past twenty years I have taken medicine every day for indigestion and got thinner every year. I took Sargol for forty days and feel better than I have felt in twenty years. My weight has increased from 150 to 170 pounds."

When hundreds of men and women—and there are hundreds, with more coming every day—living in every nook and corner of this broad land, voluntarily testify to weight increases ranging all the way from 10 to 35 pounds, given them by Sargol, you must admit, Mr. and Mrs. and Miss Thin Reader, that there must be something in this Sargol method of flesh-building after all.

Hadn't you better look into it, just as thousands of others have done? Many thin folks say: "I'd given most anything to put on a little extra weight," but when someone suggests a way they exclaim, "Not a chance. Nothing will make me plump. I'm built to stay thin." Until you have tried Sargol, you do not and can not know that this is true.

Sargol has put pounds of healthy "stay there" flesh on hundreds who doubted and in spite of their doubts. You don't have to believe in Sargol to grow plump from its use. You just take it and watch weight pile up, hollows vanish and your figure round out to pleasing and normal proportions. You weigh yourself when you begin and again when you finish and you let the scales tell the story.

Sargol is absolutely harmless. It is a tiny concentrated tablet. You take one with every meal. It mixes with the food you eat for the purpose of separating all of its flesh-producing ingredients. It prepares these fat-making elements in an easily assimilated form, which the blood can readily absorb and carry all over your body. Plump, well-developed persons don't need Sargol to produce this result. Their assimilative machinery performs its functions without aid. But thin folks' assimilative organs do not. This fatty portion of their food now goes to waste through their bodies like unburned coal through an open grate. A few days' test of Sargol in your case will surely prove whether or not this is true of you. Isn't it worth trying?

50c BOX FREE

To enable any thin reader, ten pounds or more under weight, to easily make this test we will give a 50c box of Sargol absolutely free. Either Sargol will increase your weight or it won't, and the only way to know it is to try it. Send for this Free Test Package to-day, inclosing 10c in silver or stamps to help pay postage, packing, etc., and a full size 50c package will be sent to you by return mail free of charge. Mail this coupon with your letter to the Sargol Co., 169-H Herald Bldg., Binghamton, N. Y.

COME EAT WITH US AT OUR EXPENSE

FREE COUPON.

This coupon entitles any person to one 50c package of Sargol, the concentrated Flesh Builder (provided you have never tried it) and that 10 cents is inclosed to cover postage, packing, etc. Read our advertisement printed above, and then put 10c in silver in letter to-day with coupon, and the full 50c package will be sent to you by return post. Address: The Sargol Company, 169-H Herald Bldg., Binghamton, N. Y. Write your name and address plainly and PIN THIS COUPON TO YOUR LETTER.

LOUISVILLE

THROUGH SLEEPERS Lv. 7:12 AM., 5:10 PM. L&N

CASTORIA

The Kind You Have Always Bought has borne the signature of Chas. H. Fletcher, and has been made under his personal supervision for over 30 years. Allow no one to deceive you in this. Counterfeits, Imitations and "Just-as-good" are but Experiments, and endanger the health of Children—Experience against Experiment.

What is CASTORIA

Castoria is a harmless substitute for Castor Oil, Paregoric, Drops and Soothing Syrups. It is Pleasant. It contains neither Opium, Morphine nor other Narcotic substance. Its age is its guarantee. It destroys Worms and allays Feverishness. It cures Diarrhœa and Wind Colic. It relieves Teething Troubles, cures Constipation and Flatulency. It assimilates the Food, regulates the Stomach and Bowels, giving healthy and natural sleep. The Children's Panacea—The Mother's Friend.

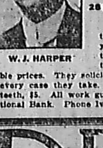
The Kind You Have Always Bought

Bears the Signature of

Chas. H. Fletcher.

In Use For Over 30 Years.

THE CENTAUR COMPANY, 77 MURRAY STREET, NEW YORK CITY.



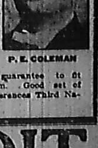
W. J. HARPER

It would be difficult to find more conscientious, efficient and painless dentists in Georgia than the gentlemen who own and operate the

NEW YORK AND AMERICAN DENTAL PARLORS

28 1-2 and 32 1-2 Peachtree Street, Over Bonita Theater.

No students. All experts in their profession. Eight to twelve years' experience. They advertise that you may know where to get the best work at reasonable prices. They solicit the most difficult cases and guarantee to fit every case they take. If others have failed, try them. Good set of teeth, $5. All work guaranteed. Lady attendant. References Third National Bank. Phone Ivy 1817.



P. E. COLEMAN

CINCINNATI

TWO FAST TRAINS Lv. 7:12 AM., 5:10 PM. L&N

AUGUST 15TH

Is the Last Day On Which It Is Possible to Buy

BEST JELLICO LUMP COAL AT $4.50 PER TON

Henry Meinert Coal Co. Both Phones 1787

DETROIT

2 TRAINS DAILY Lv. 7:12 AM., 5:10 PM. L&N

ALWAYS FIRST
The SUNDAY AMERICAN
Order it NOW
Both Phones Main 8000

THE ATLANTA GEORGIAN.

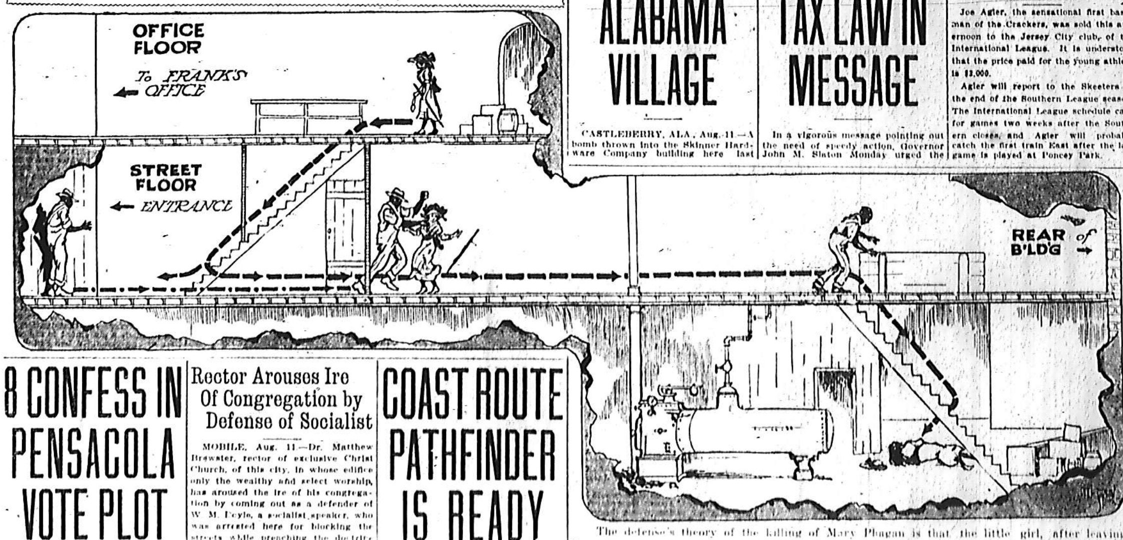
Read for Profit---GEORGIAN WANT ADS---Use for Results

VOL. XII. NO. 7. ATLANTA, GA., TUESDAY, AUGUST 12, 1913. Copyright, 1906, By The Georgian Co. 2 CENTS. PAY NO MORE.

FLORIDA EXTRA

FIGHT OF FOOD EXPERTS RENEWED

DIAGRAM OF THEORY AS ADVANCED BY DEFENSE



The defense's theory of the killing of Mary Phagan is that the little girl, after leaving Frank's office unmolested, was seized by the negro Conley at the foot of the stairs, crowded back into the rear room and there battered into insensibility, if not instant death, after which she was dragged to the trapdoor in the extreme rear and thrown into the cellar below. Later the negro went into the cellar, placed the cord around the girl's neck, and drew it very tight, perhaps thus snfling out the last fluttering breath of life in the insensible body. The motive assigned to the negro is robbery.

BOMB RAZES ALABAMA VILLAGE

CASTLEBERRY, ALA., Aug. 11.—A bomb thrown into the Skinner Hardware Company building here last night demolished that store, and fire which followed destroyed the entire block in which the Skinner store was located. The loss is $50,000, partially covered by insurance.

Early to-day the Sheriff from Greenville and a posse of regular and special deputies arrested a negro, charging him with being the man who placed the bomb in the Skinner building. While the officers claim to have strong evidence against the black man, they have not stated what it is. The feeling against the accused is running high, and it is reported that the negro has been spirited away by two deputies to prevent any possibility of a lynching.

The buildings destroyed are as follows: Skinner Hardware Company, loss $6,000, insurance $3,000; Meacham & Kirkland drug store, loss $3,000, insurance, $1,500; S. E. Berham clothing store, loss $3,500, insurance $1,000; People's Bank, all fixtures lost, but vault and valuables saved; House & Ballard barber shop, loss about $500.

Mr. Skinner owned all of the buildings destroyed. The offices of the Mayor and a number of the city officials were in the bank building. They lost their office fixtures.

Practically all of the residents were attending church when the explosion occurred, and turned out in a body to fight the fire, their efforts confining the blaze to the one block. There is no regular fire department in the town.

No reason can be assigned for the motive of the person or persons in throwing the bomb into the store, unless it was due to some grudge against some of the occupants.

SLATON ASKS TAX LAW IN MESSAGE

In a vigorous message pointing out the need of speedy action, Governor John M. Slaton Monday urged the Legislature to enact laws looking to the reform of the tax system and the equalization of taxes in the State.

Averting that the greatest disparity in the tax returns of the State is not between the city and rural communities, but between the rural communities themselves, Governor Slaton urged the enactment of a law that would compel each county to pay its proportionate share of the expenses of the State.

Shows Disparity In Returns.

"One rural county will make returns three times as much in proportion to values as its neighbors," said the Governor's message. "What sound argument can be offered in favor of this injustice? County lines are but imaginary, separating Georgians only by a fiction, and all should be and I believe are willing to contribute their proportion to the general burden.

"Legislation accomplishing this purpose, both in regard to visible and invisible property, will so operate as to make the same percentage effective on every citizen, regardless of the county in which he lives."

Scores State of Treasury.

In his message Governor Slaton emphasizes the deplorable condition of the State Treasury, which has not nearly enough funds to meet the expenses of the State Government and asserts that under a system of tax equalization a deficit of this size could not exist.

"Tax equalization does not necessarily mean increase of taxes," he says. "The man giving in now more than his due should have his valuation reduced to such proportionate amount as universally enforced will economically support the State. The man who is delinquent in this regard should be raised."

Joe Agler Sold to Jersey City Club; Price Is $3,000

Joe Agler, the sensational first baseman of the Crackers, was sold this afternoon to the Jersey City club, of the International League. It is understood that the price paid for the young athlete is $3,000.

Agler will report to the Skeeters at the end of the Southern League season. The International League schedule calls for games two weeks after the Southern closes, and Agler will probably catch the first train East after the last game is played at Poncey Park.

DR. BACHMAN TRIPPED BY DORSEY; ARRAY OF MEDICAL MEN CALLED

Professor George Bachman, a native Frenchman, one time an instructor in the well-known Jefferson Medical College of Philadelphia, and now at the head of the Physiological Department of Physicians and Surgeons, was the star witness of the defense at the Frank trial Monday, forming one of the brilliant array of medical experts gathered by Leo Frank's lawyers to batter down the theories and conclusions presented to the jury by Dr. H. F. Harris, Secretary and Director of the State Board of Health.

Among the distinguished physicians to follow him at the afternoon session of court were Drs. Willis F. Westmoreland, T. H. Hancock and J. L. Olmstead, Dr. L. W. Childs, a graduate of the University of Michigan, was called at the opening of the defense's case.

Dr. Bachman had no hesitancy in belittling the testimony of Dr. Harris. He seconded Dr. Childs in saying that it was mere guesswork to say that Mary Phagan was killed within half or three-quarters of an hour after she had eaten her simple dinner of cabbage and biscuit. He was shown the specimen of cabbage taken from the stomach of the murdered girl and declared that there was no way of telling by its appearance that it had not been in the stomach seven or eight hours before death came.

Appears to Trip Up Expert.

Solicitor Dorsey set out in the cross-examination to test minutely the witness' qualifications as an expert. He appeared to trap him in one or two instances. One was when he asked Dr. Bachman the meaning of the word "amidulin," as used in the description of starch in its various stages of digestion.

"I never heard of such a word," said the witness.

"You never did?"

"No, and no one else ever did. It isn't in any dictionary."

"Nor in any medical work?" inquired the Solicitor.

Webster's International Dictionary gives the definition of "amidulin" as "a variety of starch made soluble by heating."

Dr. Bachman was called to the stand after Solicitor Dorsey had finished a searching cross-examination of Herbert G. Schiff, assistant to Frank at the Pencil Factory.

Says Cabbage Was in Stomach Long Time.

The medical expert said that the average time required for the digestion of cabbage, according to the standard of his profession, was four and a half hours. The principal process of digestion took place in the small intestine in the case of cabbage and other carbohydrates, he testified.

Attorney Reuben Arnold showed him the specimens of cabbage taken from the stomach of Mary Phagan.

"Those pieces apparently were not masticated at all," the physician said. "They would have interfered with digestion and the passage of food out of the stomach into the small intestine by obstructing the pylorus. They would undoubtedly have kept all of the solid contents in the stomach for some time.

"Just from my observation of those pieces of cabbage I would say that they could have been in the girl's stomach for seven or eight hours before passing out."

Attacks Dr. Harris' Conclusion.

He attacked Dr. Harris' conclusions based on the fact that only 32 degrees of acidity were found in the girl's stomach on the ground that there was no way of telling whether the acidity at the time digestion was stopped was ascending or descending. If it were descending, he said, it would indicate that the acidity had risen to its maximum point and was on its downward course, a condition which obtains only when the food has been in the stomach for a considerable period.

Dr. Harris' theory that no digestion had taken place in the small intestine he combated by declaring that the formalin in the embalming fluid would have destroyed the ferments of the pancreatic juice and would have left no way of telling whether or not Dr. Harris' theory was correct.

Impossible to Make a Guess.

Attorney Arnold then propounded a hypothetical question to the witness embracing all of the conditions which were found in the stomach of Mary Phagan and then asked him if he or any other doctor could hazard a guess as to how long the food had been in her body before death.

Dr. Bachman replied that it would be impossible.

The most important admission that the Solicitor wrung from the witness was that if one didn't find maltose in the stomach, but did find starch it would be probable that digestion had not progressed very far.

On the redirect, Arnold asked the witness:

"Do you know of anyone else in the world, except Dr. H. F. Harris, who would venture an opinion of the nature he has given on the data in his possession?"

Dr. Bachman said he did not. He added also that the medical profession never accepted a pronouncement of this sort unless it was confirmed by other experts.

New Theory Sprung.

A new and important development in the State's theory of the murder of Mary Phagan came to light Monday when Solicitor Dorsey sought to establish that Leo Frank very easily could have compiled Saturday forenoon, instead of Saturday afternoon following the crime, the intricate financial sheet which the defense has introduced.

Herbert Schiff, assistant superintendent of the National Pencil Factory, already had identified the financial sheet as the work of Frank, presumably done by the superintendent on Saturday afternoon, as this was his usual time for doing it.

Reuben Arnold had displayed the sheet to the jury and had drawn the jurors' attention to the fact that the writing was regular, clear and without any sign of trembling or nervousness on the part of the writer. The evident purpose was to show that Frank, after brutally murdering a

8 CONFESS IN PENSACOLA VOTE PLOT

PENSACOLA, FLA., Aug. 11.—Ten of the parties charged with conspiracy to defraud the registration books and illegal voting in the recent city election were arraigned before Court of Record Monday morning.

Four pleaded guilty to the charge of illegal voting, two pleaded guilty to voting when under age, and the other two admitted they were not citizens of the United States. Two latter were Greeks, not naturalized. They were fined $10 and costs or 45 days at hard labor each.

Police and Fire Commissioner Pou, Registration Officer Maura and others, charged with conspiracy to defraud registration lists, pleaded not guilty and trial was set for September 16.

Of the fourteen arrests following investigation, eight have now pleaded guilty and the others say they will fight the case to the end.

Clayton Leads for Senate in Alabama

BIRMINGHAM, Aug. 11.—While Governor O'Neal did not feel ready to make an announcement as to the appointment of a successor to the late Senator Joseph F. Johnston, it was generally understood this afternoon that the Governor will make an appointment, several judges having made briefs on the subject. The appointment may be announced in Montgomery Tuesday afternoon. Congressman Henry D. Clayton, according to popular report, will most likely get the appointment.

The Governor and staff this afternoon reviewed the Fourth Regiment in camp here.

No Knox-Hobson Trade.

ANNISTON, Aug. 11.—Friends of Colonel John B. Knox, the noted Anniston lawyer, deny that there has been any coalition between his friends and the Hobson adherents to get Knox appointed to succeed Senator Johnston, with the understanding that Knox will not oppose Hobson in an open election.

Electric Plant Site Causes Mayor to Quit

MILTON, FLA., Aug. 11.—Mayor W. W. Clark announced to-day that he will resign when Council meets to-morrow afternoon, and that as soon as his resignation is accepted he will file [illegible] proceedings against the city to restrain the bond trustees from erecting an electric power plant [illegible] handsome residence. When the site was selected the Mayor [illegible].

W. A. [illegible] Representative of Santa R[illegible] in the Legislature, will [illegible] be elected to succeed Mayor [illegible].

Rector Arouses Ire Of Congregation by Defense of Socialist

MOBILE, Aug. 11.—Dr. Matthew Brewster, rector of exclusive Christ Church, of this city, in whose edifice only the wealthy and select worship, has aroused the ire of his congregation by coming out as a defender of W. M. Doyle, a socialist speaker, who was arrested here for blocking the streets while preaching the doctrine of the Socialist party.

When Dr. Brewster, who before coming to Mobile was the rector of the leading Episcopal church of New Orleans, heard of the arrest of Doyle, he rushed to the police station and denounced the arrest as an outrage, saying that no one should be stopped from free speech. Doyle is a striking machinist and one of the foundries where machinists are on strike is owned by one of Dr. Brewster's leading church members. The affair created a sensation in church circles.

Negro Drowns Self To Escape Capture

TALLAHASSEE, Aug. 11.—John Balkman, a negro, who two months ago seriously shot Deputy Sheriff Matthis, drowned himself in Lake Jackson rather than be captured by Sheriff Houston and a posse.

The negro was located three miles from Tallahassee, where dogs were put on his trail, and ran into the lake. When he saw the posse approaching and it was evident that he would be arrested, he sank in the water, after he had attempted to shoot a member of the posse. His body was recovered.

Girls Burn to Death In Home at Bartow

TAMPA, Aug. 11.—The home of J. O. Bradley, at Bartow, burned to the ground last night and their two daughters, Emily and Geneva, were burned to death.

Mr. and Mrs. Bradley were sleeping on the second floor. In the confusion they did not notice that the young women had not escaped. When they got out doors the house was enveloped in flames and rescue was impossible. The screams of the girls, one of whom was 20 and the other 14, could be heard as they burned to death.

New Passenger Rate Ends Alabama Fight

MONTGOMERY, Aug. 11.—Tariff sheets for the 2 1-2-cent passenger fare on the Louisville and Nashville Railroad were received at ticket offices throughout the State to-day. The new rate becomes effective at midnight.

The adoption of the rate probably ends the fight that the Railroad Commission has waged for four years, although the railroad threatens to appeal to the United States Supreme Court.

BLIND TIGERS CAPTURED.

ST. AUGUSTINE, Aug. 11.—Sheriff Perry and deputies to-day brought in the negroes charged with operating blind tigers in the country. They were caught in raids made Saturday night and Sunday.

COAST ROUTE PATHFINDER IS READY

Plans for the great automobile tour which Hearst's Sunday American will inaugurate to find a new All-Southern, open-all-the-year-round route from Atlanta to the Pacific Coast, virtually have been completed, and the tour will start on Monday, August 18, under conditions that practically assure the success of the movement.

The proposed route, which will be thoroughly mapped and charted by the pathfinding expedition, will extend from Atlanta through Birmingham, Montgomery, New Orleans, Houston, Dallas, Fort Worth, Tucson, Phoenix and Yuma, and will then connect with the State roads of California for San Diego, Los Angeles and San Francisco.

The pathfinder will be E. L. Ferguson, one of the most widely known automobile drivers and tourists in America. He has been in Atlanta for several days, making preliminary preparations for the tour, and is much pleased with the response that greeted the publication of the details of the movement in yesterday's American.

Southern automobilists, who heretofore have been barred from touring across the continent via a Southern, open-all-the-year-round route, because no such route has ever been explored and mapped, have greeted the movement with enthusiasm and many offers of assistance.

Big Send-Off Is Planned.

Some idea of the sentiment that exists among Atlanta motorists can be gained from the plans that are being made to godspeed Mr. Ferguson when he starts on his journey. When he leaves Atlanta next Monday in the big touring car that has traveled most of the roads of the country, he will be escorted out of the city by many local automobilists and motorcyclists who realize what the proposed tourists route would do for the South, and who are indorsing the movement with their usual energy and enthusiasm.

It is Mr. Ferguson's intention, during the path-finding expedition, to put forth every effort to interest the farmers and the citizens of the cities and towns he visits in the proposed route and in good road building all over the South. The lack of good roads is all that has prevented the Southern States from being the Mecca of motorists the year round, and it is the purpose of the newspapers that are behind the expedition to make Mr. Ferguson's trip a "good roads booster" from start to finish, so as to make the proposed Southern route a reality before the beginning of the Panama Exposition at San Francisco in 1915.

It is estimated that more than 5,000 motor cars will cross the continent from the Atlantic coast during the exposition, and the mapping and charting of a Southern route, with its advantages in climate and scenery, will divert the greater part of the traffic from the established Northern route through Chicago and Denver.

Sylvia Pankhurst Captured in Fierce Riot of Militants

Special Cable to The Atlanta Georgian.

LONDON, Aug. 11.—"You women are overstepping the ordinary bounds of lawlessness—you are becoming anarchists," said the magistrate in Bow Street Police Court to-day in sentencing militant suffragettes who took part in street fighting yesterday when Miss Sylvia Pankhurst led a mob of 10,000 women in an assault upon the residence of Premier Asquith.

Sunday's fighting was the bloodiest of all militant riots. Screaming and struggling with maniacal fury the suffragettes and their bodyguard of hired dock workers gave the police such a furious contest that more than 50 persons were hurt.

Miss Sylvia Pankhurst had a special bodyguard of men, but her escort was overpowered and she was taken to Holloway jail.

Gainsville Claims 10,200 Population

GAINESVILLE, FLA., Aug. 11.—The new city directory being published will show a population for Gainesville of over 10,200.

Although Gainesville has now the best water in the State, the supply is not sufficient from the Boulware Springs, and there is under construction new waterworks, a corporation supplying in addition inexhaustible supply from artesian wells. A large standpipe is also being erected for fire purposes.

Attached to this plant is to be electric light plant with capacity to meet all demands. Poles and wire are already placed and current will be turned on about November 1.

BOY HELD FOR MAIL THEFT.

GADSDEN, Aug. 11.—David C. Claborn, a 15-year-old boy, was found guilty in Federal Court to-day on a charge of larceny of mail from a box in the Boaz postoffice. Sentence was suspended until next term of court.

MOTHER GIVES AWAY BABY.

MOBILE, Aug. 11.—A pretty blue-eyed baby, 6 weeks old, was given to the Salvation Army by a 15-year-old mother at Meridian, Miss., and since that time has been given over to a couple of considerable wealth.

Hope of Early Vote on Tariff Bill Given Up

WASHINGTON, Aug. 11.—All predictions of an early passage of the Democratic tariff bill by the Senate are going glimmering. Majority leaders realize that, notwithstanding the fact that they have set a new record in pushing consideration of this measure, only a beginning has been made, and the earliest anyone now will promise completion of the task is September 15.

Ten days ago, when a member of the Finance Committee said he thought the Senate would pass the bill by August 20, there were some who thought it might be possible, but only four schedules have now been considered, 56 paragraphs in these having been passed over for future consideration.

Senate Clears Decks For Tax Reform Work.

With the decks cleared at last of local bills, the Georgia Senate Monday afternoon faced a sharp fight on the substitute to the Sheppard tax reform bill following the filing of a minority report by four of the members of the Finance Committee.

Senator DuBose, one of the minority signers, declared he would fight the measure when it comes up for passage. The bill, he declared, was not fair to the people and was framed as a result of "bulldozing" efforts by the Governor.

On the other hand, Senator Miller, of the Twenty-fourth, joint framer of the bill and chairman of the Finance Committee, declared himself ready to

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FRANK SPENDS HALF HOUR STUDYING PENCIL FACTORY MODEL

Wife and Mother Kiss Prisoner as Trial Opens Upon Its Third Week

GRILLING OF ASSISTANT OF ACCUSED IS ENDED; EXPERT TAKES STAND

Continued From Page 1.

girl, could not have done all the difficult mathematical work without error and without signs of agitation in his writing.

The Solicitor, however, started right out on a line of questioning that indicated his opinion was that Frank had done the work during the morning hours instead of after Mary Phagan had been slain.

Time for Making Report.

Dorsey first asked Schiff, who was recalled to the stand, if it would not have been possible for Frank to have done the work on the financial sheet between 8:30 and 10:30 o'clock in the forenoon before he went to Montag Bros., and between 11:30 and 12:02 o'clock, after he returned from the Montag plant. Schiff said that there would have been time for the work.

Dorsey recalled to the witness' mind a conversation between Frank and C. E. Ersenbach Friday afternoon, in which Frank said he would try to get his work in shape in time to go to the baseball game on the following day.

It was the implication of the Solicitor that Frank had hurried through with his work Saturday morning and, as a matter of fact, had it completed or nearly completed before the afternoon.

Finishing with this line of questioning, the Solicitor began an attack on the time element which the defense has introduced in the trial. Dorsey questioned Schiff at length as to the accuracy of the clock in the office floor, with the apparent intention of arguing that when Monteen Stover came into the factory and saw the clock hands pointing to 12:05 o'clock, the correct time really might have been 12:12 or 12:15 after Mary Phagan entered the factory and went to Frank's office. Schiff maintained that the clock always was kept on time by W. and A. yard whistles.

Mrs. Frank at Office.

On the redirect examination Schiff said that the financial sheet always was made up Saturday afternoon, and never in the morning. He said the correspondence and entering and acknowledgment of orders always were taken care of in the forenoon.

Attorney Arnold also brought out the testimony that Frank's wife frequently came to the factory Saturday afternoons to help her husband in stenographic work.

Schiff explained keeping Jim Conley in the employ in the factory after discovering his unreliability by saying that it was difficult to teach new negroes the work. He denied that he ever had tried to discharge Conley and that Frank had prevented it.

Frank's Aunt in Court.

Mrs. Jacob Selig, aunt of Leo Frank, was the third woman visitor of his family to the court Monday morning. She had a seat near the prisoner and his mother and wife.

Before court convened Frank asked permission to examine the paper model of the National Pencil Company that had been offered in evidence by the defense. He spent some 30 minutes closely examining this model.

Frank was in court early. His wife and mother came in and kissed him, taking seats on either side of him.

It was reported around the courtroom that the jury would be taken to visit the National Pencil Company building. Attorney Reuben Arnold for the defense said that he personally would be very glad for the jury to make the examination. Solicitor Dorsey said he did not know whether he would consent.

Just before Schiff was recalled to the stand Mr. Arnold announced that Miss Hattie Hall, stenographer for Montag Brothers, who was at the factory Saturday, April 26, to take some dictation from Frank, probably would be the next witness. Solicitor Dorsey resumed his cross-examination of Schiff.

Schiff's "Darta" Puzzles Dorsey.

Q. Mr. Schiff, of course you don't know to your personal knowledge that this finance sheet was made up on Saturday?—A. It couldn't have been made up before.

Q. Why?—A. I had not accumulated the "darta" (data) Friday, as I always did.

Q. The what?—A. The data (pronouncing it as though it were "darta.")

Mr. Arnold interrupted: "He means data."

Mr. Dorsey said he didn't know whether Schiff meant data or some sort of sheet he was accustomed to making out.

Q. Couldn't you take the data gathered by Miss Eula May Flowers and the others and have gotten up this sheet?—A. I think I might have.

Frank Not an Expert, He Says.

Q. You haven't made up one since Frank left?—A. No, simply because we have not had time.

Q. Don't you consider him an expert?—A. I do not.

Q. Go ahead and tell me what he would have to know.—A. The slat record.

Q. Is that here?—A. No.

Q. Can you get me a slat record?—A. Yes.

Q. Well you get one and bring it back here. Now, is the slat record more complicated than this forelady's report?—A. It is a great long sheet.

Dorsey Questions Sharply.

Q. Tell me the truth. Is it more complicated?—A. I am telling you the truth, Mr. Dorsey.

Q. Well, doesn't he just take the total from all the reports?—A. No, he has to do some figuring and other work.

Q. Well, what else?—A. He has to get the tipping record and several others.

Q. Do you mean to tell me, then, that the totals in these reports and the body of the report are not the same handwriting?—A. I do.

Q. Now this financial sheet? Do you mean to tell me it is all in the same handwriting?—A. It certainly is.

Q. You are sure of it?—A. Yes.

Could Have Done It in Two Hours.

Q. Now, entering all these eleven orders and this financial sheet, was that all Frank had to do that Saturday?—A. All I can think of.

Q. Do you know that it was done Saturday?—A. No, but it was not done Friday, and he did not work on it then.

Q. When did you see this work?—A. Sometime Monday or Tuesday.

Q. Now, could Frank have done this work between 8:30 and 10:30 o'clock that morning?—A. Yes, if he was not interrupted.

Q. Well, didn't you tell us Saturday that Frank could do that work in one and one-half hours?—A. I did not.

Q. Well, all the work you know that was done there Saturday was the financial sheet and entering those orders?—A. So far as I know.

Orders in Frank's Writing.

Q. Were you paid off April 26?—A. No.

Q. Was Frank?—A. No.

Q. Now, are you quite sure Frank entered those orders?—A. They are in his handwriting.

Q. Now, it took about two minutes to put down these things and a minute to add them over?—A. Yes.

Q. Will you look there and tell me whether there is an entry on April 26 for $2 advanced Arthur White?—A. It is not on this book, it is on the time book.

Q. Who entered it?—A. Mr. Frank.

Q. Have you got the receipt for $2?—A. I can get it.

Q. Who made note of that on the record?—A. Mr. Frank did. I entered it on the time book the following week.

Mr. Arnold interrupted. "You had better make a note of these various things Mr. Dorsey wants," he said.

No Record of Orders.

"I know exactly what he wants," replied Schiff. Dorsey continued the examination.

Q. Is there any record on this financial sheet of the orders you said came in on Saturday?—A. No.

Q. You told Mr. Arnold there was?—A. I told him that as a rule there was.

Q. But there is no record here?—A. I was telling Mr. Arnold what Mr. Frank did on Saturday. I don't see any place on the financial sheet for it.

Q. Now tell this jury what there is to show that these orders did not come in before Saturday, April 26.—A. They were not there Friday night. I had looked through the files.

Q. Was there any reason why the sheet had to be at Montag's Monday?—A. It was our custom.

Q. Mr. Frank was a man who always stuck to his business? He would never go away unless his business was up?—A. Yes.

Q. Mr. Schiff, didn't you swear before the Coroner that it would take two hours and thirty minutes to get up the data and make up the sheet?—A. I may have misunderstood the question. I say now that it would have taken from two and one-half to three hours.

Frank Faster Than He Is.

Q. If he had an engagement and wanted to speed up, couldn't he do it within two and one-half hours?—A. Not and make it look the same.

Q. Is Frank a faster man than you?—A. Yes. He is a faster man on a financial sheet.

Q. Didn't you swear before the Coroner that Frank could have gotten the sheet up thirty minutes quicker than you?—A. I could not have specified any time. I have never made up the sheet.

Q. Then you deny this statement before the Coroner?—A. No, I didn't deny it. It is not in my exact language.

Q. How long did you say it would take Frank to balance the $29 in petty cash?—A. That is hard to say. I think I said before the Coroner that it would have taken from one to one and one-half hours.

Q. How do you remember where you were last Thanksgiving?—A. One thing I intended to do was to go to Athens to attend a football game. It snowed. The B'Nai Brith had an affair that night. I helped Mr. Frank carry some packages there.

Q. Do you mean to tell the jury that you recall every Saturday?—A. I recall that I have never missed a day since my vacation.

Tells of Thanksgiving D

Q. Do you know what time you left the factory that Thanksgiving Day?—A. Yes, I left with Frank at 12:30. He went home.

Q. Do you know whether he went back that afternoon?—A. Yes; a friend who was with him told me where he was.

Q. Then from your knowledge you do not know whether he went back or not?—A. No.

Q. Now, how do you recall that Helen Ferguson came there Friday?—A. I just remember it.

Q. Well, who else came?—The witness enumerated fifteen other employees.

Q. Can you tell me who came the Saturday before?—A. No; I had an idea in looking up and refreshing my memory as to that day.

Q. Now, that sheet had to be made up by Monday. Why was that data not ready Friday night?—A. I don't know.

Q. How were the pay envelopes numbered?—A. One to two hundred.

Q. Where was the number?—A. That varied. The office boy had no regular place for it.

Questioned About Basement.

Q. Now, this place where the chute is located is pretty dark, and few people go there?—A. Yes.

Q. It is one of the most remote spots in the basement?—A. Yes.

Q. This place down there is not used?—A. Yes; we put schlich down there to keep it cool.

Q. How often do you go down there?—A. Every two or three days.

Q. Now, you saw that place where the blood was?—A. In the metal room?

Q. Yes.—A. Yes, I saw it.

Q. Did you notice anything about it?—A. I was under—something white that looked like a compound.

Q. Was it smeared?—A. No, it looked like other spots in the factory.

Q. When did you notice the door leading from the chute?—A. I came up there two or three days after the murder, and it was open.

Q. You are sure of it?—A. Yes.

Never Lost a Day.

Q. Now, you told Mr. Arnold that you were at the factory May 31. How do you recall that?—A. For the simple reason that I have never lost a day.

Q. Well, did you mean by that that you were there that Saturday afternoon after 12:30?—A. Yes.

Q. You didn't consider it losing time, then, if you left Saturday afternoon?—A. I certainly did. I remained there at work.

Q. Then you do say you were there that Saturday afternoon?—A. Yes.

Q. Was that clock always right?—A. Usually it was on time.

Q. Who set it?—A. Holloway, I think.

Q. Who saw that it was right?—A. I don't know.

Q. How do you set that clock?—A. I set it. Holloway sometimes winds it up.

Q. Is it correct? Does it ever get five minutes fast?—A. Whenever I looked at it it was on time.

Q. What did you set it by?—A. A watch or whistle.

Q. You employ reliable people at the pencil factory? You don't keep those who lie and are untrustworthy?—A. Some of them are not.

The defense objected to this question and was sustained.

Q. When did you discuss the worthlessness of Jim Conley?—A. A long time ago. About the first time I ever spoke to him.

Q. And you continued to keep him?—A. We moved him from the elevator to the fourth floor.

Q. Whom did you tell he was worthless?—A. It was talked to me.

Q. By whom?—A. Schiff named a long list of employees who had complained about Conley borrowing money and being worthless.

Q. Didn't you complain to Frank about him, and did Frank overrule you?—A. Mr. Frank is not over me.

Q. Did you have the authority to fire Jim Conley?—A. I did.

Q. If he was so worthless, why didn't you fire him?—A. It was so hard to get a negro who knew anything about the work.

Q. And you kept him there for two years?—A. He was in the chaingang two or three times.

Saw Conley on Chaingang.

Q. How do you know?—A. I saw him once working on Forsyth street in front of the factory.

Q. You swear that he was on the chaingang two or three times?—A. Women came to me once or twice to get money to pay him out.

Q. Out of what?—A. The chaingang or the calaboose. I am not versed in those things.

Q. Why did you swear he was on the chaingang three times?

Arnold interrupted: "Your honor, I object. He doesn't cross-examine a witness. He just quarrels with him. The best evidence of Conley's stockade career is the record."

Dorsey—I have got the record, and I am going to introduce it. That is why I want to pin this witness down.

Judge Roan ruled the witness must answer the question, but the witness should not be any more explicit.

Knew Conley Could Write.

Q. If any of these books got down into the basement, they went into the trash, didn't they?—A. Yes.

Q. Now, these other books?—A. They were kept all over the place. We gave them to the negroes.

Q. Just who did you give them to?—A. I gave one to Jim Conley. He wanted to write home.

Q. Then you knew he could write?—A. Yes.

Q. Didn't you know his home was right here?—A. I did not.

Q. What did these negroes do with these pads when you gave them to them?—A. They got on the elevator and went to the basement to write.

Q. How did they get light?—A. In front of the boiler.

Q. Did you ever see Conley there?—A. Yes.

Q. Now, Frank was very anxious to have the Pinkertons at work?—A. Yes.

Q. When did you report Conley's strange action to the Pinkertons or the police?—A. I don't recall.

Q. Did you report it to Mr. Frank? He was anxious to have the murderer caught?—A. I think so.

Arnold Balks at Hurrying.

Q. Now, where would a person have to stand on the fourth floor to see the office floor?—A. He could not.

Q. Where were Denham and White on the fourth floor?—A. I was told——

Q. Then don't bother. Were you at the factory when detectives made certain experiments with the elevator?—A. Yes.

Arnold then took the witness on the redirect examination.

Judge Roan said: "Hurry up, Mr. Arnold."

Rosser spoke up: "Your honor, time should not be considered. A man's life is at stake."

Judge Roan: "Go ahead."

Q. Was that sheet usually made up in the morning or afternoon?—A. Afternoon.

Q. Now, is it not a fact that Frank is interrupted almost constantly by salesmen or employees who have some adjustment of their pay envelope to request?—A. Yes, quite a few interruptions.

Q. Do you not change your opinion that it would take one and one-half hours to fill out these requisitions and enter the orders?—A. I do not. It would take about that time.

Q. When was this made up?—A. In the morning.

More About Financial Sheet.

Q. Was the financial sheet ever made up in the morning?—A. No.

Q. Do you change your opinion that it would take two and one-half to three hours to make up the financial sheet?—A. I do not.

Q. What length of time would you say he worked there Saturday?—A. My original estimate—six hours.

Q. Is this financial sheet of April 26 any different from the reports of three months previous?—A. It is not.

Q. Mr. Dorsey asked you whether these initials, "H. H.," of April 26 did not mean the last work that was done on that sheet? That it might have been entered two or three days before? Now, what does it really mean?—A. Nothing, really. Those initials and that date would have been there if it had been entered Saturday, regardless of the date it was acknowledged by Miss Hall.

Dorsey Objects to Slur.

Q. Now, Mr. Schiff (I am going to call him Mister. I am not as familiar with him as Mr. Dorsey seems to be. He calls him "Schiff" all the time), you say the murder caused you to remember paying off Helen Ferguson on Friday?—I said that.

Dorsey objected.

Judge Roan sustained the objection.

Mr. Arnold put the question in a different form, and received the same answer.

Q. Mr. Schiff, this diagram (pointing to the prosecution's diagram of the factory) does not show the openings into the Clark Woodenware department, does it?—A. It does not.

Q. Mr. Schiff, it is rather unpleasant to fire a negro and then have to hire a new one and teach him the work, is it?—A. It is.

Hooper interrupted: "Your honor, if he is not leading this witness, I do not know what you would call it."

Judge Roan sustained the objection, and Mr. Arnold again changed his question.

Didn't Know of Detectives' Hunt.

Q. Mr. Schiff, you didn't know the detectives were trying to find out if Conley could write?—A. Not for some time.

Q. Mr. Schiff, did Mr. Dorsey subpena you to come to his office, and did you know you didn't have to go?—A. Yes; I was subpenaed—he telephoned me.

Q. Do you know where the sacks in which you keep the cotton were kept?—A. Just outside the metal room.

Q. Were there any empty sacks there?—A. I don't know. We never keep empty ones there except for a few hours after they are empty.

Dorsey took the witness on the re-cross-examination.

Q. Mr. Schiff, you talked to Mr. Arnold about customs up there. Was it Mr. Frank's custom to make engagements Friday afternoon for Saturday afternoon, and neglect his financial sheet?—A. It was not.

Arnold interrupted: "We don't want to argue this point. We just want to be recorded as objecting."

Dorsey was allowed to continue.

Q. Was it Mr. Frank's custom to keep his engagements?

Arnold objected: "We must oppose this."

Judge Roan sustained the objection.

Noted Conley's Attitude.

Q. How long did it take Frank to go from the pencil factory to Montag's?—A. From three to five minutes.

Q. How far is it?—A. About two and one-half blocks.

Q. What time was it Monday you observed this peculiar bearing of Jim Conley?—A. Between 7:30 and 8 o'clock.

Q. What time did you go with Detective Starnes to arrest Gantt?—A. Some time late in the day.

Q. After you had observed all of the suspicious conduct on the part of Conley you have just been telling about?—A. I think it was.

Q. When you looked at this white stuff and the red spots under it, were all of those blinds on the north side open or closed?—A. Open.

Q. If they had been closed it would have been much darker in there, would it not?—A. Yes.

Dorsey and Schiff Argue.

Mr. Schiff differed with Mr. Dorsey about the location of the ladies' dressing room on the second floor. After considerable argument, they agreed on the location, and the examination continued.

Q. Is it not true that most of the light that shines on the spot where the blood was comes from the windows on the north side?—A. No, sir.

Q. Would it make any difference whether those blinds were closed?—A. Yes; but about as much light comes from the west as from the north side.

Arnold took the witness again.

Q. Mr. Dorsey has the door to the ladies' dressing room and the door to the metal room out of position, hasn't he?—A. No, sir.

Q. Did you ever see Mr. Frank talking to little Mary Phagan?—A. I never did.

Professor Bachman on Stand.

Schiff was excused from the witness stand and Professor G. Bachman was called as the next witness in rebuttal to the expert testimony of Dr. H. F. Harris.

Attorney Arnold examined him.

Q. What is your occupation?—A. Professor of physiology in the Atlanta College of Physicians and Surgeons.

Q. Have you made any study of digestion?—A. Yes, I teach it.

Q. What time would it take cabbage to digest?—A. Four and one-half hours to get out of the stomach.

Q. What is the time required for biscuit to digest?—A. Not less than three hours.

Q. What time would you say a meal of cabbage and bread would take to digest?—A. It would depend on conditions.

Q. Is it possible to say how long it would take to digest anything?—A. It is not. The failure to masticate would materially retard any digestive process.

Might Stay Long in Stomach.

Q. Suppose a person had not properly masticated cabbage, would the unmasticated portions come in contact with the pyloris and keep the rest of the food in the stomach any length of time?—A. Seven to eight hours.

Q. Suppose a physician made an examination of the contents of the stomach, could he say how long it had been there?—A. He could only hazard a guess.

Q. What part of digestion goes on in the stomach?—A. Only about half.

Q. Look at this cabbage and tell me whether it has been masticated (handing him the specimen of cabbage eaten by Mary Phagan).—A. Hardly at all.

Q. How long would it take this to pass out?—A. It would depend on the acidity.

Q. In a dead body, if you find 32 degrees of acidity could you tell whether it was ascending or descending?—A. Absolutely not.

Q. After a body dies and is thoroughly embalmed, what effect would it have on the pancreatic juices?—A. It would destroy the ferment.

Q. Does it affect the hydrochloric acid?—A. No.

Q. You investigate and find probably a drop and a half of hydrochloric acid. Did you ever hear of a drop of it?—A. No; it is a gas.

Calls Time Estimated Impossible.

Q. Investigating this body several days after death, would it have been possible for anyone to say how long that food had been in the stomach?—A. It would have been absolutely impossible.

Dorsey took the witness on cross-examination.

Q. Where were you born?—A. Mulchausen.

Q. French or German?—A. French.

Q. How long have you been in this country?—A. Since 1903.

Q. How long have you been where you are now?—A. Four years.

Q. What do you teach?—A. Physiological chemistry.

Q. Are you an expert chemist?—A. I am so far as the body is concerned.

Q. What is the principal property of wheat bread?—A. Starch.

Q. Where does starch digestion begin?—A. In the mouth.

No Such Word, Says Expert.

Q. What is amidulin?—A. I never heard the word.

Q. What is erythrodextrin (Dorsey spelled the word slowly)?—A. Write it out (Mr. Dorsey wrote both words). There is no such word as the first and the second is a stage in the digestion of starch.

Solicitor Dorsey launched into technical examination, spelling most of the words. Deputy Plennie Minner had to rap often to hush the laughter in the courtroom.

Q. With an Ewald test breakfast, how long would it take to get a positive starch test?—A. All the time the food is in the stomach.

Q. Didn't you know that medical authorities agree that it takes from 30 to 40 minutes to get such a test?—A. There is no authority for such a statement as you put it.

Q. Would finding a positive starch test indicate how long the food had been there?—A. It would indicate nothing. Starch is not digested in the stomach.

Q. Then how are doctors able to prepare tables on the process of digestion?—A. They can tell from the proteins combined with the hydrochloric acid. Starch does not. There is nothing certain or clear about these matters.

Calls It Only a Hazard.

Q. How do medical men agree it takes about four hours to digest cabbage?—A. That is a hazard.

Q. Then, tell me what the average condition would be if you found starch but no maltose in the stomach?—A. I would say the food had not been there very long.

Mr. Rosser interrupted. "I want to say that we are not dealing with an Ewald breakfast. We are dealing with cabbage and bread. We want the young Solicitor to come down to fried cabbage and bread—the matters we are dealing with."

Judge Roan ruled that the Solicitor might question the doctor to determine his scientific knowledge.

Q. You never heard of any one making any experiments with the various stages of digestion or have you made any yourself?—A. That is true.

Questioned on Cabbage Specimens.

Q. Doctor, take these two samples (handing him Dr. Harris' vials of cabbage). Assuming that this one has been in a normal stomach one hour, how long would you say this one had been in (the cabbage Mary Phagan ate) had been in a normal?—A. I would say seven or eight hours.

Q. Why?—A. The pieces are so large they would delay the substances in passing from the stomach into the small intestines.

Q. Don't you know there have been coins to be known to pass from them?—A. After seven or eight hours.

Q. Do you mean to say they stop up the alimentary canal?—A. No, but they don't go in for several hours.

Q. Now, leave out the time required to pass out of the stomach—what would you say?—A. That would depend on the conditions.

Q. Well, suppose that all conditions were the same?—A. I would say that the digestive processes could not reach those larger pieces at all.

Refuses to Venture Opinion.

Q. Why do you reject the hypothetical proposition that these two specimens were masticated the same way and that this specimen was taken way and aht this specimen was taken out in a period of from 45 to 60 minutes, and how long would you say this one (Mary Phagan's) had been there?—A. I could not say.

Q. But if everything were equal—we would say?—A. I still could not say.

Q. What is the difference between a meal of bread and water and a meal of bread and cabbage? (The physician gave a technical discussion of the different properties of the foods).

Arnold took up the redirect examination.

Q. Would you take one man's word about these tests?—A. No. The medical profession never takes one man's statement unless it is confirmed.

Q. Do you know any doctor besides Dr. H. F. Harris who would venture an opinion on how long cabbage had been in a stomach?—A. I do not.

Court recessed until 2 o'clock.

Dr. Mancock Is Called.

Dr. T. H. Hancock, of the Atlanta College of Physicians and Surgeons, was the first witness of the afternoon session. Before the examination began he made a statement to the effect that he had examined Leo Frank and had found him to be a perfectly normal man, physically and mentally.

Attorney Arnold took up the examination.

Q. Take a body embalmed eight hours after death and one gallon of embalming fluid containing 8 per cent formaldehyde, the body exhumed eight days after death, a cut one and one-half inches long found behind the ear, no fracture of the skull—could any physician say whether that blow caused unconsciousness?—A. No, the bone might have been fractured and still not produce unconsciousness.

Q. How long would it have bled after death?—A. Maybe eight hours.

Q. Could any doctor say whether such a blow produced death or not?—A. No.

Q. If it had been a sharp cut, would it have bled more than otherwise?—A. A live person would bleed more than a corpse.

Q. Where is the best evidence of strangulation?—A. I don't know from my own knowledge, and the authorities differ.

Mr. Arnold explained the condition of Mary Phagan's stomach as described by Dr. Harris.

Q. Could you give any intelligent idea of how long that cabbage had been in the stomach before death when the analysis was made nine days after burial and after the body had been embalmed with a fluid in which there was formaldehyde?—A. I could not.

Q. Could anyone?—A. I think not.

Q. Why?—A. Because of the variability of processes of digestion and the amount of acidity.

Tells of Tests With Cabbage.

Q. Doctor, where does digestion begin?—A. I am not an authority on digestion. I am just telling you what I know from study.

Q. Well, I would rather have the opinion of a man of practical experience than an expert.—A. Digestion begins in the mouth.

Q. Do you believe that any man by any chemical analysis could give any dependable information on how long this cabbage was in the little girl's stomach?—A. I do not.

Q. Have you made any experiments of the process of digestion on cabbage?—A. Yes; on one man and four women.

Dr. Hancock produced the cabbage with which he had experimented. The first sample had a chocolate color. The cabbage was well chewed.

Q. What is this chocolate color?—A. The young woman said she drank a chocolate milk about three and one-half hours before I gave her the cabbage.

Q. And how long was the cabbage in her stomach?—A. Sixty minutes.

Q. And here is the chocolate three and one-half hours after being taken?—A. Yes.

Q. Now take this speciment—what

Continued on Page 3, Column 7.

PINKERTON MAN WHO TESTIFIES FOR FRANK

W. D. McWorth, Pinkerton man, who will testify to finding bludgeon and part of a pay envelope behind radiator on first floor of factory. The defense will offer the "finds" to the jury without making any great claims for their importance or genuineness.

FRANK'S ASSISTANT AT PENCIL FACTORY

HERBERT SCHIFF.

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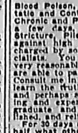

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MARY PHAGAN AND WOMEN TO WHOM TRIAL IS PITIFUL ORDEAL

Miss Monteen Stover, friend of Mary Phagan — Mrs. J. W. Coleman, Mary's mother. — Mary Phagan, victim of tragedy. — Mrs. Rea Frank, mother of accused. — Mrs. Leo Frank, wife of accused.

GRIEF-STRICKEN MOTHER SHOWS NO VENGEFULNESS

By TARLETON COLLIER.

The [illegible]-clad woman in the corner [illegible] courtroom—nobody has [illegible] her much. Things have happened so swiftly in the Frank trial that all eyes are on the rush of [illegible] waiting for a quiver on the face of Leo Frank, watching with morbid gaze the brave faces of Frank's wife and his mother, studying the passing show that the numerous witnesses present.

And the woman is so unobtrusive, so plainly out of it all. The tears, whose traces are evident on her face, were not shed as a result of this trial. The lines under her eyes are older than two weeks. Her sorrow—and it is plain that she has undergone sorrow—came some time ago. Now the first poignant pain of it has passed and only a dull ache remains.

All that is plain as she sits in the courtroom in an attitude which bespeaks much of listlessness and resignation. The thoughts that pass in her mind are revealed in that attitude and in her placid face. And the sum of them is this:

No matter what happens, the dull ache will always be there at her heart.

Mary Phagan's Mother.

Because, you see, it is her little girl that all this is about. The black-clad woman is Mrs. W. J. Coleman, Mary Phagan's mother, and Mary Phagan is dead.

Mrs. Coleman has not been in the courtroom during all the trial. Much of the time she has been in the room upstairs, kept there because she was a witness. And witnesses must not see nor hear what is going on in the courtroom before they are called, even if the names of their own little girls are handled back and forth.

But now Mrs. Coleman has testified. She has looked upon the blood-stained, pitiful clothing of her daughter, the clothing that was publicly shown, the intimate garments that were upheld before hundreds of eyes. She has announced for purposes of court record that they were Mary's.

She has explained how she last saw her daughter alive. She has told how Mary Phagan ate her last hurried [illegible] of cabbage and bread and then went out to a horrible death. Now, she may come out of the witness room and listen to all that other persons have to say about Mary, alive and dead.

Now she may sit in a corner of the courtroom and hear that her daughter was beaten and choked and killed.

She may listen, perhaps with a pang of jealousy, to other persons tell that they saw Mary Phagan alive, happy and serene, long after she kissed the little girl good-by for the last time.

It is her Mary that they are talking about, the little girl whom she held in her arms as a baby, whom she watched grow up to be a capable worker, with a spirit unspoiled, with a laugh as free as in the baby days, with a hundred dreams and hopes there on the edge of young womanhood.

Testimony Bewilders.

Mrs. Coleman wears a look of bewilderment at times, as she tries hard to follow the intricacies of the testimony. Sometimes they are not talking about Mary Phagan at all, but about expense accounts and balance sheets and clocks. What has all that to do with her little girl?

It is when the witnesses are talking about these incidental bits in the chain of circumstantial evidence that the black-clad mother is most the listless and passive figure of resignation. It is then that she looks around, with her wide-open stare, as if in wonder that her little girl could be the cause of it all.

But even when the name of Mary Phagan is mentioned, the mother is not noticeably attentive. Her eyes cease their wandering, but her body changes nothing of its posture of listlessness, loses none of its air of being detached from the courtroom and its incidents.

She is there plainly without resentment toward any one in particular. There is no vengefulness in her soul—you can read that in her face. It is almost as if she, having suffered so much, is unwilling that any others suffer. She sits there and looks, curiously, wonderingly, a little dully.

And sometimes they mention Mary Phagan's last meal of cabbage. It is remarkable that a dish of homely cabbage should become a great thing. There is something grimly ludicrous in the situation. And there are some, the irreverent and the unfeeling, who have made it a subject of jest.

Glorified in Love.

But to Mrs. Coleman there must be something appealingly intimate in the subject. She cooked the cabbage. She chopped it and prepared it as her little daughter liked. The simple meal was glorified by the love that must have gone into its making—housewife love for those in her care, mother-love for the whims and desires of her children. The cabbage subject must be of tremendous interest to Mrs. Coleman.

Whatever her interest, though, it is never keenly shown. Apathy seems to be the chief characteristic of her in the courtroom—no, not apathy, but just a dull wonder.

You read plainly from her worn face and her figure that she is not seeking vengeance. Sometimes you might wonder why she is there in the courtroom. You establish curiosity as the motive, curiosity and the natural, jealous, mother-desire to hear directly from the mouths of others something about her little girl as she last was seen.

It must be almost like awaiting a message that she is there, nursing her dull grief.

Many Years' Test of Eckman's Alterative

For several years a large number of voluntarily written testimonials from persons who recovered from Lung Trouble have been received by the makers of Eckman's Alterative, a remedy for the treatment of Throat and Lung Trouble. Surely plenty of time to demonstrate its lasting value. You can write to any of them for confirmation. Here is one:

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"Gentlemen: In the winter of 1903 I had an attack of Grippe, followed by Pneumonia and later by Consumption. In the winter of 1904 I had cough, night sweats, fever and raised quantities of awful-looking stuff and large I had many hemorrhages; at one time three in three successive days. Milk and eggs became so distasteful I could keep nothing down. Three physicians treated me. I was ordered to the mountains, but did not go. Eckman's Alterative was recommended by a friend. After taking a small quantity I had the first quiet night's sleep for weeks. My improvement was marked from the first. I gained strength and weight and appetite. I never had another hemorrhage and my cough gradually lessened until entirely gone. I am perfectly well."

(Affidavit) ANNIE F. LOUGHRAN.

(Above abbreviated, more on request.)

Eckman's Alterative has been proven by many years' test to be most efficacious in cases of severe Throat and Lung Affections, Bronchitis, Bronchial Asthma, Stubborn Colds and in upbuilding the system. Does not contain narcotics, poisons or habit-forming drugs. For sale by all of Jacobs' Drug Stores and other leading druggists. Write the Eckman Laboratory, Philadelphia, Pa., for booklet telling of recoveries and additional evidence.

Interest Unabated as Dramatic Frank Trial Enters Third Week

By JAMES B. NEVIN.

The third week of the most remarkable murder trial ever known in Georgia opened to-day with no apparent lessening of the acute interest and grim appeal heretofore attaching to it.

The public has come to realize thoroughly and completely that the issue is a battle not only between the State and the defendant, Leo Frank, but between Leo Frank and the negro Jim Conley.

Presumably, the defense will take the entire week rounding out its case and perfecting its undermining of Conley's story.

If it does get through within the week, it will have employed approximately the same amount of time in telling its story that the State employed in telling the other side.

The first powerful and bewildering shock of Conley's tale, unanticipated in its full sinister detail, has passed away in a measure, it seems.

It is but the simple truth to say that the day of and the day following Conley's awful charge, in addition to the one of murder, marked the climax of the State's case and the zenith of feeling against Frank.

Then it was that the outlook for the defense seemed to be the most dismal, and then it was that even Frank's most loyal friends and sympathizers began to grow apprehensive and sore afraid.

Doubt Begins to Grow.

Since the defense began its pleading, however, there has been something of a revulsion of feeling—or, at least, there appears to have been created a doubt in the minds of many people as to the complete and convincing probability of Conley's revelations.

Not that the defense is out of the woods yet, by any means—as a matter of fact, the defense still is very deep in the woods, and while there may be those who think the defense likely sees daylight and sunshine somewhere through the darkness, it generally is admitted that the darkness still very much is there.

As the frightful charge of perversion was the most prejudicial thing injected by the State against Frank, so, as a natural consequence, is the seeming determination of the defense to put his character frankly in issue the thing seemingly most likely to remove that prejudice, if possible.

To put Frank's character in issue, in the face of the fact that the defense alone has that right, despite the dramatically delivered and certainly impressive testimony of Conley against it, will seem in the mind of many to argue that the defense is in no way afraid to meet that issue fairly and squarely—and it is not at all illogical to conclude that the successfully tendering of his character, as an issue will have the effect, in large measure anyway, of removing from the mind of the jury the horrible charge of the negro.

Depends on Conley's Word.

As the matter stands now, the attack on Frank's character rests entirely upon Conley's word—Conley has been corroborated not at all on the direct charge, and he has been corroborated, even indirectly, in the most doubtful way.

It may be, on the other hand, that the State, once given the right to go after Frank's character hammer and tongs, will be prepared to attack it with heavy artillery, and perhaps demolish it entirely. Certainly the necessity of doing this, in the circumstances then, will be apparent enough.

The Supreme Court of Georgia has held definitely that character may be tendered as evidence of a positive fact, and it asks significantly this question, through the late Chief Justice Warner:

"Of what use is good character, which a man may have been years in establishing, if it is to avail him nothing in his hour of peril?"

It is rather curious, in a way, that practically every vitally effective and controlling point in this case should reduce itself eventually to a question of truth between Frank and Conley.

Nothing Fidgety About Frank.

The Leo Frank of this week of his trial is not the Leo Frank of last week and week before last.

If spectators were inclined for a time to think the quiet, repressed, spectacled young man sitting over there beyond Luther Rosser and Reuben Arnold, the slight person immediately between the only two women in the entire courtroom, was in any wise indifferent to or unmindful of the progress of the trial—his own trial, and for a brutal murder, at that—they have changed their minds now.

They have changed their minds as completely as Leo Frank has changed his attitude.

If there is anything in external appearances and surface indications, I should say that Frank is, in practically any and all circumstances, a man of very marked patience. I doubt that he ordinarily hurries, or frets unduly, or grows especially restless, any way.

He is brisk enough in his movements, getting up now and then, with a quickness of action easily enough to be seen, either to say a word to one of his lawyers or to leave the courtroom for a moment—but there is nothing the least "fidgety" about the man.

While the State was making out its case—even when Conley was on the stand, hurling his charge of immorality against Frank—the defendant sat apparently unmoved.

Save for an occasional momentary gripping of the arms of his chair, a tightening of the lips, or a slight wrinkling of the brows, the defendant gave no sign, either of the indignation he must have felt if innocent or the apprehension he must have felt if guilty.

Apparent Stoic Under Fire.

While the State was making out its case, Frank seemed the personification of patience—or whatever it is one should call it, according to the state of his mind in respect of the defendant.

He sat there—just sat there—to some an apparent stoic, to others a—what?

Immediately the defense got well under way directly, however, the Leo Frank theretofore known to the public became another person—absolutely and entirely another person.

He seems to have realized that now, at last, has come his day to speak.

No longer must he, restrained by wise and far-seeing counsel, hold back in word of mouth or effort at defense. At last, after all the long days of waiting, of studying the charge lodged against him, of repressing his emotions and standing aloof from a critical and possibly hostile outside world, Frank is saying the necessary word to clear his good name, if it be sufficient to the undertaking.

Where once he sat unmoved and calm, he now takes a noticeably directing part in his defense. Time and again, he arises, or leans over, as the case may be, and whispers words into his attorney's ears.

On several occasions his whisperings have been responded to immediately by approving nods from his counsel, and at once thereafter has followed, particularly on the direct examination, a line of questioning evidently enough set in motion by the defendant himself, and by other persons.

Seems Sure of Himself.

Frank, I think, is rather sure of himself—guilty or innocent, he is there to do battle to the bitter end, to meet his enemies in the gate, and to vanquish them, if he find himself powerful enough.

He is a very small man physically, but I think he has the courage requisite to the undertaking he has in hand. Whether it is the courage of righteousness and a sense of his innocence, or the courage of desperation and guilt, it is not, perhaps, for me to say.

It only seems that he is eager for the fight, and confident of his strength to win.

No spectator there can hope to read his heart or read his mind. Great reams of newspaper space and reportorial effort might be saved henceforth if only one might do either of those two things.

And whether all the rest of the world be against him, it appears a sure thing to say that, at least, his wife there beside him and his mother constantly in attendance upon him, believe him utterly and altogether innocent.

I suspect there is no question, moreover, that both Luther Z. Rosser and Reuben Arnold believe in the innocence of Frank.

Beyond these four and the jury and the judge, however, I doubt if Frank concerns himself extensively nowadays—unless, of course, he thinks often of that stout-hearted and unafraid bald-headed man, Simon Marks, and a band of friends who never yet have forsaken him, no matter how dark the gloom that has seemed to close around him.

Picked Up State's Gauntlet.

It may be that Frank in his defense of himself will disappoint these expectant ones. It may be that he never will come through the fire unscorched. It may be that and it may be a lot of things, but it will not be denied, when this case is over, that Frank picked up, full and free, the gauntlet the State threw at his feet.

The State's case was the State's business. Frank stood off and let it go its limit. Of course, he hardly could have kept it from going its limit—but the point is, he didn't try particularly.

The defense, however—the defense is Frank's business, strictly!

And he is right there, on the job, as he would be, I take it, had this frightful murder never been committed, and were it with him merely a question of catching up with a smashing and record-breaking order for the product of the factory over on Forsyth street, where a few weeks ago he was the universally respected superintendent.

Frank will make no half-way defense of himself—that much may be anticipated confidently, I suspect. He will meet every issue tendered—even including the attack other than the charge of murder.

How will he fare eventually? Well, that is another question—and it is not yet has been approximately answered.

SLATON URGES TAX REFORMS IN MESSAGE

Cites the Deplorable Condition of State's Treasury and Asks Early Action

Continued From Page 1.

Committee, declared himself ready to champion the bill to the last.

The bill provides, among other things, for a state tax assessor, in addition to county boards of tax equalizers.

The Senate passed several measures on the calendar several weeks. The first resolution to go through was one by Senator Longino providing for the appointment of a commission to investigate and receive bids on the proposed re-leasing of the Western and Atlantic Railroad. Several amendments were lost.

Another important bill passed was that of Senator Hule, of the Thirty-fifth, making it a misdemeanor to present a check when there are not sufficient funds in the bank to pay it.

Two bills by Senator McNeill were passed—one permitting the operation of through trains and trains carrying perishables on Sunday and the other allowing insurance companies to invest 10 per cent of their surplus stock in bonds of any one institution.

The Senate agreed to reconsider the bill giving the custody of young children to the mother, which was defeated last week. Senator Stark, pleading that the adverse report of the committee be upheld, charged that the present bill was planned as the result of the Zachry case, in which Judge Hammond, of Augusta, held that he was forced to deliver the children to the father.

Upon motion of Senator McGregor the Senate ordered that 100 copies of the Governor's message, which was read Monday morning, be printed and furnished to the Senators by Monday afternoon.

Gibbons Is Certain Suffrage Will Come

CHICAGO, Aug. 11.—"I am weary," said Cardinal Gibbons, when interviewed here. "I am growing old and these trips are trifle hard on me.

"Personally I do not believe in women voting," he answered in reply to a question. "The Church has not passed on the subject. I have the old-fashioned idea about woman and the home. I think women would better make good mothers than good politicians. But suffrage is certain to come to women."

2-POUND BABY LIVES.

HUNTINGTON, IND., Aug. 11.—A two-pound baby girl, fully developed, was born to Mr. and Mrs. Frank C. Smith, of this city. Doctors say it has a fighting chance to live.

$9 WRIGHTSVILLE BEACH

Round-trip, August 16th. Good 15 days. Through sleepers. Seaboard.

DEFENSE'S FOOD EXPERT IS GRILLED BY SOLICITOR

Continued from Page 2.

is it?—A. It is cabbage in formaldehyde. The woman was asked not to chew it at all. It was taken out from 45 to 50 minutes after being eaten.

Q. Does it show any change?—A. None at all.

Q. Take No. 3—what is it?—A. It was taken by a woman of 21. She did not masticate it. It was in the stomach 25 minutes. There was also some tomato which she had eaten for breakfast. It was awfully hard to make her give it up, taking more than two minutes to make her vomit at all.

Q. Now, this last one?—A. That was taken to-day. It was a breakfast of bread and cabbage. It was taken out 2 1-2 hours later.

Q. Is it possible to say from a chemical or any other kind of an examination how long food has been in the stomach?—A. No man on earth could tell.

Never Hear "Omidulin."

Dr. Hancock, upon being questioned, declared that from what he had heard of the examination made of Mary Phagan, that the evidences did not indicate that an assault had been attempted.

Solicitor Dorsey took the witness.

Q. You are a surgeon rather than a general practicioner, are you not?—A. For the last few years I have devoted myself exclusively to surgery.

Q. You are the surgeon for the Georgia Railway and Electric Company, are you not?—A. Yes.

Q. Doesn't it require considerable knowledge to testify with any accuracy about the effect of digestive processes on cabbage?—A. I have that.

Q. Are you familiar with the word "omidulin"?—A. I am not.

Q. Is there such a word?—A. I think so.

Mr. Arnold took the witness.

Q. It is a word that is rarely used, isn't it, Doctor?—A. I never heard it before.

Dr. Hancock was excused and Dr. Willis Westmoreland, former president of the State board of Health, and president of the Atlanta Medical College, was the next expert witness called. Dr. Westmoreland's testimony was regarded as intensely interesting, owing to the differences arising between he and Dr. Harris, over State Board matters last year. Attorney Arnold examined him.

Q. What is your business?—A. Surgeon.

Q. Where?—A. For a number of years at the College of Physicians and Surgeons.

Answers Usual Questions.

Q. Were you ever president of the State Board of Health?—A. Yes.

Mr. Arnold propounded the same hypothetical questions he asked Dr. Hancock about the cut on the back of Mary Phagan's head. Dr. Westmoreland replied that a physician could only surmise or guess as to whether the blow caused unconsciousness, death or what its effect might have been.

Q. Could the blow have been inflicted bfor or after death?—A. You could not tell.

Q. Would a cut of that kind bleed after death?—A. So long as the blood was liquid.

Q. Could anyone tell from which direction the blow was inflicted?—A. Absolutely not.

Arnold here asked the doctor regarding the length of time the cabbage had been in te stomach and the effect of the various digestive processes upon it. The answer was that to make a positive statement would only be the wildest guess.

Q. I will ask you if it is ethical for a physician to make an examination of parts of the body and then destroy them without bringing them into court, or without giving the other side an opportunity to make the same examination?—A. It is a violation of one of the unwritten laws of the profession.

Judge Allows Question.

Solicitor Dorsey objected to this question. Attorney Arnold addressed the court:

"Your Honor," he said, "over yonder in his little room this chemist, or alleged chemist, made analysis all alone. After he had finished he destroyed all his material on which he had worked. I want to show that such conduct was unethical, dishonest and almost unbelievable. He would try us and convict us without giving us a chance."

Dorsey: "He simply wants to impeach the ethical character of Dr. Harris by Dr. Westmoreland, and I object."

Judge Roan ruled that Mr. Arnold could bring out the rule of ethics of doctors, but that he could not comment specifically on Dr. Harris.

Solicitor Dorsey tok the witness on the cross-examination.

Q. Are you a specialist in surgery?—A. Yes.

Q. You don't do any stomach analysis work, do you?—A. I have an assistant who does the work in the laboratory. It takes a long time.

Q. Physical inverts often appear physically normal, do they not?—A. Sometimes.

Dorsey Goes Lnto Detail.

Mr. Dorsey propounded a hypothetical question describing the body of Mary Phagan, and asked what he thought would have caused the death.

"I would say strangulation," returned the physician.

Q. Would a blow on the eye that caused swelling have been dealt before or after death?—A. That would depend. It might have been struck after death and have produced practically the same effect.

Q. Would the wound on the back of the head bleed after death?—A. If

Continued on Page 4, Column 1.

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DR. BACHMAN IS TRIPPED BY SOLICITOR, EXAMINING DEFENSE'S MEDICAL MEN

Continued From Page 3.

death was caused from strangulation it might have bled more.

Solicitor Dorsey went into a detailed cross-examination as to the possibilities of assault upon the Phagan girl. The questions were all hypothetical and Dr. Westmoreland's opinion was that in such cases no unnatural violence was done. Further replies along this line were in favor of Frank.

Q. Assuming that it takes cabbage four hours to digest in the normal stomach, could you look at it and tell how long it had been there?—A. No.

Q. Doesn't the medical world agree that it takes a certain length of time to digest certain food?—A. Yes. That is the result of hundreds of experiments.

Q. Does the medical world agree that it takes four hours to digest cabbage?—A. Four or five.

Q. Who gives five hours doctor?—A. It is generally accepted to be between four and five.

Q. Haven't they laid down the different stages of digestion?—A. Not absolutely.

Says He Put Harris on Board.

Q. Hasn't this man Hooter laid down all the stages of digestion?—A. No. He will tell you himself that his rules are not infallible.

Q. What is the length of time before you will find free hydrochloric acid?—A. There is no way of telling.

Q. What is the generally accepted theory?—A. About 30 minutes.

Q. In cabbage and wheat bread, would you expect to find it sooner or later?—A. That would depend upon the mastication.

Q. If we found 22 degrees of hydrochloric acid in the stomach, how long would you say it had been there?—A. I could not say.

Q. Have you any personal feeling toward Dr. Harris?—A. I have none, one way or the other.

Q. You were on the State Board of Health with Dr. Harris?—A. Yes, I put him there.

Q. Is he still there?—A. Yes.

Q. Were you president of the College of Physicians and Surgeons when he was given a chair there?—A. Yes.

Q. What did he do?—A. He was the pathologist.

Arnold took the witness.

Q. Will you tell the jury the cause of your difficulty with Harris?—A. I preferred charges of scientific dishonesty against him. He was not removed by the board so I resigned.

Says They Had No Row.

Q. Whatever row or fuss you had has had nothing whatever to do with your testimony?—A. I never had any row with him. I preferred charges against him. The State Board of Health tried him and found him guilty. They did not see fit to remove him, so I resigned as president of the board.

Q. Which, from the standpoint of common sense, would be the most reliable, a visual and digital examination for violence, or a microscopic examination?—A. In post mortem examinations it is often the case that abrasions are overlooked.

Dorsey took the witness.

Q. Blood when fresh is easy to wipe off if you have water, isn't it?—A. Blood is a very penetrating stain.

Q. How many doctors are there on the State Board of Health?—A. Twelve with the secretary.

Dr. Westmoreland was then excused and Dr. John C. Olmstead was called. Attorney Arnold questioned him.

Q. How long have you been practicing and where did you graduate?—A. I have been practicing 28 years and graduated at the University of Virginia and the University of New York.

Q. Where did you practice?—A. In a new York hospital and then in Atlanta.

Attorney Arnold propounded his hypothetical question on the cut on the back of the head and received the answer that Dr. Harris' opinion was about as wild a guess as could be made.

Q. Could such a wound as I have described, to you as appearing on the back of the head have been inflicted after death?—A. Yes if it was before the blood congealed.

Can't Tell Time of Death.

Q. Could such a blow as I have described, black and swollen, have been inflicted on the eye after death?—A. It might.

Q. Look at this cabbage. After a chemical analysis and the finding of 22 degrees of acidity, could you determine with any degree of certainty how long it had been in the stomach before death?

A. No. I don't think there is any authority, certainly not in English, which assigns to the stomach any quality of accurately determining the time of death.

Q. Suppose cabbage isn't chewed like that (pointing to one of the samples which had been well masticated), might it not lodge in the stomach?—A. Yes.

Q. How long might it stay in the stomach without being further digested?—A. It might stay ten or twelve hours.

Q. To attempt to state within ten or fifteen minutes when death occurred by the condition of this cabbage—would you consider that a wild guess?—A. Too wild to be characterized.

Mr. Arnold put the next question to obtain an opinion from the witness as to whether Mary Phagan was assaulted. The answer was that indications were that no unnatural violence was present.

Dr. Olmstead said that Dr. Harris' surmise that violence had been done the girl immediately before death was the most extraordinary surmise that he had ever heard.

Tells Time of Digestion.

Dorsey took the witness.

Q. The medical world recognizes that you can determine the degree and time it takes for the digestion of wheat bread, doesn't it?—A. Yes, after accurate experiments with is known as a test breakfast, from two to two and one-half hours.

Q. A table has been compiled showing how long it takes to digest various articles, hasn't it?—A. Yes.

Q. The table states it takes four hours to digest cabbage, doesn't it?—A. The table I saw put cabbage at four and one-half hours.

Q. What kind of change would you expect on cabbage an bread within thirty minutes?—A. It would depend on the character and quality of the food.

Solicitor Dorsey held up the two phials containing the cabbage taken from the stomach of Mary Phagan and that cooked by her mother and taken from the stomach of a normal person after one hour.

Q. What sort of comparison would you make as to how long these samples had been in the stomach?—A. The experiment is a little delicate. Stomachs vary too much.

Q. What element would you have to have to properly express it?—A. I would have to know what amount was taken out and what amount was left in the stomach.

Dorsey Interpolates.

Dorsey: "Just a moment—let me interpolate this: How does it make any difference what amount was taken out? Just tell me from the circumstances I have enumerated if you would not say this specimen, the one I say had been in the stomach only 60 minutes, would have been in the stomach a shorter length of time?—A. Yes. The one with the larger pieces under those circumstances would have been in there a shorter length of time.

Q. You say you are a doctor of medicine and a general practitioner. Are you an expert?—A. I will say this, I am not an analytical chemist, but I am familiar with it and in general practice get the benefit of wide experience.

Arnold took the witness.

Q. After death, could any physician, even an expert, tell how long things had been in the stomach?—A. It would be the very wildest guess.

Dr. Olmstead was then excused, and Joel Hunter, an expert accountant, was called. Arnold questioned him.

Q. What is your business?—A. Public accountant.

Q. How long?—Fifteen years.

Q. What position do you hold?—A. I am chairman of the State Board of Examiners.

Q. Did you examine those reports, the financial sheets?—A. Yes.

Q. Did you see Mr. Schiff?—A. Yes, he gave me the data.

Long Time to Make Report.

Q. What did you do?—A. In order to find what length of time it would take to make out one of those sheets I made all the calculations.

Q. Did you find any mistake?—A. Yes.

Q. What was it?—A. A trifling error in a decimal point.

Q. Did you find any other errors?—A. No.

Q. I will get you to tell how long it took to make out this report?—A. I first made the examination with the data, and then without the data. I figured 150 minutes as the quickest possible time. To do any checking at all, it would take from three to three and a half hours.

The expert witness then went into an extensive explanation of the different items on the financial sheet. Attorney Hooper took him on cross-examination.

Q. If you were making up the report as an original proposition, would the same data have been furnished to you?—A. I could not say.

Q. Well, much of this work with which you were unfamiliar and had to trace down, he had at his fingers' tips, did he not?—A. I have only figured a reasonable minimum time. I can not say what Mr. Frank had is such that it is notetaolnshrd at his fingers' tips. The statement is such that it is not subject to sub-proving. You can't prove it as you go along. If that could be done, it could be made out quicker.

Q. You have estimated, in other words, how long it would take him?—A. No, I made it out to show how quick I thought it could possibly be made out.

Q. If a man made it out in an afternoon, he would not have time to see a baseball game, would he?—A. I would hardly think so.

Court then adjourned until 9 o'clock Tuesday morning.

Deputy Hunting Scalp Of Juror-Ventriloquist.

Big Bob Deavors, Deputy Sheriff in charge of the Frank trial jury, marched to the courtroom Monday morning with an aching head and a grim determination to get even with Juror A. H. Hensley, whose elusive voice pilofed him against a bedpost late Sunday evening.

Hensley is a ventriloquist of no mean ability, and when the jury has been locked up Sunday his talent has afforded the principal pastime. Yesterday he worked on Deavors, the deputy. He had Bob's wife calling to him from the street, the hall door and finally from the door leading into another room. It was through this last door that Deavors broke and encountered the head of a bed with the full weight of his big frame.

An impromptu piano concert Sunday afternoon by Juror F. E. Winburn, a stroll under guard late Sunday evening and the feats of ventriloquism broke the monotony of what would have been a listless day.

30,000 at Templar Conclave in Denver

DENVER, COLO., Aug. 11.—Twenty-five hundred persons arrived in Denver every 60 minutes to-day for the thirty-second triennial conclave of the Knights Templars. Thirty thousand Knights and thousands of other visitors will be in the city tonight. Between 100 and 500 special trains were scheduled to arrive in Denver before the real business of the conclave begins to-morrow.

More than $200,000 has been spent to make Denver beautiful.

STRIKE CRIPPLES MILAN.

MILAN, ITALY, Aug. 11.—Over 1,000 arrests were made here to-day in the general strike which has stagnated the city. Traffic is at a standstill. Martial law is in force and soldiers patrol all the streets.

THE SOCIAL WORLD

Saturday afternoon at the Capital City Country Club seems to be the popular time for golfing and swimming. The lake resembled one of a seashore resort. All afternoon members of the club were having tea with their friends on the verands, among them being Mr. and Mrs. John Hill, Mr. and Mrs. John Lynch, Mr. and Mrs. J. J. Haverty, Mr. and Mrs. Ed Barnes, Mr and Mrs. Frampton Ellis, Mrs Hinton Baker, of Augusta; Mr. and Mrs. C. T. Nunnally, Mr. and Mrs. John Murphey, Mr. and Mrs. John J. Woodside, Jr., Mrs. Ben Noble, of Birmingham; Mrs. Sims Bray, Mrs. William Robinson, Mrs. Harry Harman, Misses Dorothy Harman, Josephine Mobley, Virginia Lipscomb, Julia Murphey.

Always the dinner-dances at the Piedmont Club are enjoyable affairs of the week-end. About 150 people had dinner on the beautiful terrace. Afterwards many danced. Mr. and Mrs. Walter Andrews entertained twelve friends in compliment to Mr. and Mrs. William H. Burwell. Mr. and Mrs. Charles Hopkins, Jr., had as their guests Mr. and Mrs. Carroll Payne. With Mr. and Mrs. Clifford Hatcher were Mr. and Mrs. William Spalding, Mr. and Mrs. Robert Gregg, Mr. and Mrs. James T. Williams, Mr. and Mrs. Robert Wood entertained a party of nine, including Mr. and Mrs. W. R. Prescott, Mr. and Mrs. Frank D. Holland, Mr. and Mrs. W. E. Hawkins and Mr. S. Y. Tupper.

Among others present were Misses Sarah Rawson, Ruth Stallings, Leon Ladson, Caroline Muse, Pearl Wilkerson, Jessie McKee, Gladys Hanson, Louise Riley, Messrs. Charles Selph, Jr., Stewart Witham, Joseph Colquitt, Strother Flemming, Neal Reid, Joseph Brown Connally, Brooks Morgan, Dozier Lowndes, E. C. Lamb, George Harrison, Marion Smith, Dr. J. D. Osborne, Jesse Draper, Jackson Dick and James Harris. Mr. and Mrs. Ben Sims and Mrs. Forrest Adair, Mr. and Mrs. Frank Adair, Mr. and Mrs. Hughes Spalding, Mr. and Mrs. Ronald Ransom, Mr. and Mrs. Edward Dougherty, Mr. and Mrs. T. A. Hammond.

The dance at the East Lake Country Club was largely attended by young folks. Among them were Misses Edith Dunson, Gladys Dunson, Nell Prince, Elizabeth Morgan, Helen Jones and her guest, Margaret Buckner, of Roanoke; Isabel Kuhrt, Lyda Nash, Priscilla Patton, Alline Fielder, Nellie Kiser Stewart, Clifford West, Mary Hines, Messrs. Bolover Toy, Arthur Clarke, Moultrie Hilt, Dr. C. S. Hodge, James Ragan, Henry Kuhrt, Tom Lynch, George Walker, Frank Spratling, Curry Moon, Julian Thomas, Carl Ramspeck, Will Henry, Hughes Roberts, Winter Affriend, Elwyn Tomlinson and John Mecaskilin.

Miss Amorous Hostess.

Miss Isabel Amorous gave a tea at the Piedmont Club Monday afternoon. Tea was served on the terrace. Gay flowers adorned the table.

The guests included Misses Julia Murphy, Dorothy Arkwright, Lawrence and Horine, Frances Winship, Louise Richardson, Dodo White, Madeline McCullough, Louise Hill, Marjorie Weldon, Ann Patterson, Nina Hopkins, Katherine Dickey, Jean Douglas, Annie Bates, Irene King and Nellie Dodd.

D. A. R. to Give Scholarship.

Atlanta Chapter D. A. R. is ready to award a four years' scholarship in the Washington Seminary, which opens September 11. This scholarship includes a full and complete literary course and will be entirely free to applicant. Mrs. A. McDowell Wolf, chairman of the educational committee of the Atlanta Chapter, requests that all applications be sent to her at once at her home, No. 9 Peachtree place.

L. D. Scott, president of the school, will hold the examinations and pass upon the eligibility of the applicants.

Woodard-Hall.

Dr. Ethridge Hall and Miss Lela Woodard were married Sunday afternoon at the home of the bride's parents, Dr. and Mrs. R. C. Woodard, at Adel, Ga. The marriage was a quiet one, there being present only a few friends.

Atlanta Women Honored.

Mrs. Edgar Johnson Darnell entertained her club at her home at Murphy, N. C., recently with an al fresco party in honor of her guests, Mrs. M. G. Hendricks, of Ball Ground, Ga., and Miss Bertha Eigenmann, of Atlanta.

The punch bowl was presided over by Misses Josephine Heighway and Louise Hendricks.

Mrs. Darnell was assisted in entertaining by her mother, Mrs. C. M. Wofford, and Mrs. S. C. Heighway.

One hundred guests were present.

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$1.95 For $3.00 and $3.50 Black China White Habutai Silk Waists.
One hundred of these.
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$3.75 For $5.00 and $7.50 Waists of Plain White China Silk and Crepe de Chine.
There are one hundred of these, one as lovely as another. There are those with double frills of crepe de chine and those with embroidered batiste down fronts, having a bit of color on the low collars and the cuffs. The color is sometimes a little narrow border, again it is a matter of fancy stitching. Some are hand-embroidered. Also, you will like the way the sleeves are set in.

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