

THE JOURNAL
COVERS THEM
LIKE THE DEW

Atlanta Sun cotton market... New Orleans...

THE WEATHER
Fair tonight and Friday

VOL. XXXI. NO. 165.

ATLANTA, GA., THURSDAY EVENING, AUGUST 19, 1934.

LAST EDITION

PRIOR EDITIONS

Dr. Harris' Testimony Is Backed by Defense Experts

CENTRAL FIGURES DURING DRAMATIC MOMENTS IN TRIAL OF LEO M. FRANK HOOPER, OF THE PROSECUTION, ARGUING FOR THE RETENTION OF THE CONLEY TESTIMONY



DR. HARRIS
ON THE STAND,
TELLS ABOUT HIS EXPERIENCE

STATE FINISHES TESTIMONY DR. LEROY CHILDS BEGINS EXPERT EVIDENCE FOR DEFENSE

Dr. Childs Characterizes Conclusions - Similar to Those Made by Dr. H. F. Harris and Dr. J. W. Hurt as Remarkable Guesses - He Says Cabbage Is Most Indigestible of All Vegetables and Might Stay in Stomach for Many Hours

DEFENSE IS EXPECTED TO PUT UP CHARACTER WITNESSES IN VIEW OF JUDGE ROAN'S RULING

Dalton Swears He Has Visited Penoll Factory in Company With Women, That Frank Knew of His Presence and That Jim Conley, the Negro Sweeper, Was There - He Tells of Frank's Visitors

Aeroplane Drops, Killing Soldier of Fortune and His Companion

Picturesque F. S. Cody, English Aviator, Dies in Smash-Up

LONDON, Aug. 18.—F. S. Cody, the famous Anglo-American aviator, was killed in an aeroplane accident at about 10 o'clock today.

Cody was trying out a new aeroplane when he met his death. In the machine with him was a passenger named Kean who also was killed. They were flying over the open country in the afternoon and had reached the government house when their aeroplane began travelling badly and finally with a crash, fell to the ground.

Several officials hurried up to the bodies of Cody and Kean beneath the aeroplane.

Cody was the most interesting figure in aviation in the British Isles. He was a real soldier of fortune who was well known in the public in England before he came to this country.

He came from the United States where he was a cowboy. He had been a soldier in the public in England before he came to this country.

He was a member of the British Royal Flying Corps and was a member of the British Royal Flying Corps.

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MAINTAINING PAROLE AS SUGGESTION OF ATTORNEY

WASHINGTON, Aug. 18.—The fact that department of justice agents had investigated federal judges to influence their action in cases in which the government was interested was made in the senate today by Senator Borah, and indicated, partially at least, by Senator Hoover.

Senator Borah's charge was brought out by a report from Attorney General Cummings regarding the Senate resolution asking whether federal agents were investigating judges.

The resolution reflected some serious uneasiness in the case of Federal Judge E. A. Tamm, who had been investigated and who had attacked the department of justice in a public speech.

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HE DECLARES 'CRISIS' GRAVEST THAT HAS FACED NATION IN HIS CAREER AND DEFENDS THE PRESIDENT'S COURSE

WASHINGTON, Aug. 18.—Further demand for passage of his resolution for the investigation of Mexican conditions by the foreign relations committee was made today by Senator Clark, of Wyoming. Chairman Bacon asked that the resolution be referred to his committee before being acted on, but Senator Clark objected.

The administration probably has policy, but we don't know what it is, said Mr. Clark. Now the president has sent his third confidential representative to the republic, but we are left without information, while American lives are being lost and American property destroyed. I see no reason for delaying action. There can be no investigation by the committee as well as by the administration.

Senator Bacon said that conditions in Mexico and relations between the two countries are such that in haste action should be taken by the senate.

Because of the importance of this subject there is no higher duty resting upon us than to approach it with the utmost gravity and consideration," he declared.

Senator Bacon declared that notwithstanding reports from Mexico City that the Huerta government's formal announcement that it would not receive John Lind unless he came with proper credentials and promised to recognize the Huerta government, the senate should not act until there was some actual development.

There has been no communication received by the Mexican government, said Senator Bacon, and the Mexican government has made by him on the ground that his testimony would be irrelevant, immaterial and prejudicial.

"I overrule your objection," said Judge Roan. "Go ahead, Mr. Dorey."

"Do you know Leo M. Frank?" "Do you know Jim Conley?" "Do you know Daisy Hopkins?" "Do you know Dalton?" "Do you work at the National Penoll factory?" "Have you ever been there?" "Four or five times with Daisy Hopkins."

"Did you go to the office?" "Yes, Frank there?" "Yes, I did go to the basement?" "Did you see the basement?" "Did you see the basement?" "Did you see the basement?"

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NOTICES
FUNERAL NOTICES

5 Reward for Capture of Convict.

Bankrupt Sale

Legal Notices

Best Work

Seashore Excurion August 7th

Supplying Everything

Barrow is Nominated for Customs Collector

DEFENSE BEGINS THE INTRODUCTION OF EVIDENCE

(Continued From Page 1)

Mr. Frank Wilson... Mr. Houser took up the cross-examination... "What was the first time you visited..."

DETECTIVE CHIEF A SPECTATOR



W. A. LAWRENCE

"It is necessary to use a microscope... BLOOD VESSELS ENLARGED... "I got a bruise on my hand, could you..."

"I got a bruise on my hand, could you... "I would bleed more at first, don't..."

"Right where the injury was inflicted... "No, sir, certainly not..."

"In more blood there digestion is going on... "No, sir, certainly not..."

"I would not say that... "I never heard of any..."

MEN and RELIGION BULLETIN No. 71 The Numbers 4, 11, 21, in Georgia

When you have destroyed the boy's pride and honor, When you have killed the soul of the girl, This year, Next year to adopt Probation and a home for the wayward Will not help them or their mothers For those now in need we plead.

Cholera serum for hogs has been provided. Good! Protection for cows from the tick— Fine! Expert knowledge of bugs and chemicals to save and foster our crops— Splendid! Higher education for men and boys— Excellent!

But the miserably—the unfortunate—those who are slipping down into the slime which underlies—What of these? In one home lives a mother. Her boy out four stalks of sugar cane and with another boy stole them from a field. Your courts and ours fined them forty dollars apiece.

They were strangers, one nineteen and the other twenty. They had thirty cents between them, and no friends. Eight months in our changing was their sentence for not having forty dollars each. A minister found them in stripes at Christmas. He got them out. Their parents had not known of their plight. IS THIS RIGHT? You can—you will prevent the recurrence of such cases. Pass the Probation Bill. Give your Judge the power to save first offenders.

E. C. Branson, of the Normal College at Athens, states that crime has increased in Georgia since 1880 approximately twice as fast as the population. Think of this. Then consider Illinois. In that state, commitments have decreased forty per cent in the ten years since the adoption of the Indeterminate Sentence, despite the great increase of population. Half of the states have incorporated the Indeterminate Sentence in their laws. Its aim is "to retain the convict in prison until he is fitted for freedom, making such fitness for freedom the condition precedent of his release."

IT WILL ENCOURAGE ROAD BUILDING. To the fear of the lash, it adds a far greater incentive, the hope of winning freedom by good work. Senate Bill No. 11 provides for Probation. Senate Bill No. 21 covers the Indeterminate Sentence. The Senate has passed both of them without opposition. And the Judiciary Committee of the House has again favorably reported both Bills for passage in the House. To incorporate them into the laws of Georgia only an opportunity for a vote in the House is needed. With them goes House Bill No. 4. This provides the home for wayward girls. They today are the pressing problems in our courts. They are prisoners. Yet you would not place them in the changing or with hardened criminals. Since you will not do that with a boy under sixteen, for whom you provide a home, you can scarcely do that with a girl. And yet the State has to care for them. While providing serum for sick hogs, and a tick cure for cattle, and horticulture and entomology for our fields, and college training for our boys, surely you will provide for these, our girls.

THE PRISON COMMISSION URGES THIS. The Appropriations Committee and the Penitentiary Committee report favorably House Bill No. 4. THESE NUMBERS, 4, 11 and 21, entitle these bills to a hearing. But more than this, the meaning of these measures to Georgia and the unfortunate—that there is nothing in them for anyone excepting the miserable at the bottom of the pit—these facts make certain, we believe, that they will be heard and made the law of our State. Stop and think of the homes they touch. And you will urge and give the right of way. Remember the purpose of the Crucified— Jesus died, not alone that you might live, but "to give light to them that sit in darkness and in the shadow of death."

Only \$5 Runtree's THE EXECUTIVE COMMITTEE OF THE MEN AND RELIGION FORWARD MOVEMENT

DR. HARRIS'

(Continued From Page 4)

"I am going to have a judicial... "I am going to have a judicial..."

"I am going to have a judicial... "I am going to have a judicial..."

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"I am going to have a judicial... "I am going to have a judicial..."

A Handsome Suitcase



A fine long-grain black leather case lined with... "I would not say that..."

Remember the purpose of the Crucified— Jesus died, not alone that you might live, but "to give light to them that sit in darkness and in the shadow of death."

DR. HARRIS' TESTIMONY IS ATTACKED

(Continued from Page 1.) The doctor would say that the blow... Dr. Harris' testimony...

DEFENSE FIGHTS HIS TESTIMONY

(Continued from Page 1.) The distribution will be general... Secretary McKim, whose whole time...

OP MOVING PLAN OF MADRID PLEASES SOUTHERN BANKERS

(Continued from Page 1.) The distribution will be general... Secretary McKim, whose whole time...

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STARTLING CHARGES HURLED BY SENATOR AT DEPT. OF JUSTICE

(Continued from Page 1.) Senator Call, of Rhode Island, declared...

SPEECH BY BACON PREVENTS SENATE ACTION ON MEXICO

(Continued from Page 1.) Land given to Mexico and others has... The president has openly said...

HOW DIAMONDS WILL ADVANCE IN PRICE

A diamond now costing \$200.00... as soon as the new tariff bill becomes effective.



DR. H. P. HARRIS, Staff Photo by Wire.

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J.M. HIGH COMPANY August Furniture Sale Now On! Entire Stock Included 20 to 33% Off

Friday Bargains in Every Dept. Just Received From Our Buyer Now in New York 400 New Skirts... Special at \$4.95...

J.M. HIGH COMPANY August Sale Rugs and Curtains Extraordinary Bargains Friday & Saturday

To Close Lawn Kimonos All our 50c Short Lawn Kimonos, white and colors, at 39c... Ladies' Pure Linen hemstitched Handkerchiefs...

50c Rompers 35c Low Neck Styles. Sizes to 6 years. Choice 35c

Great Values in the Annex Men's \$1.00 Shirts 79c... 25c and 50c Ties 20c

Friday and Saturday Specials, 1st Floor Ladies' New Fall Bags... Ladies' Pure Linen hemstitched Handkerchiefs...

Boys' Department--2nd Floor BOYS' ODD PANTS--Large sizes, good materials and patterns; regular \$1.00... STRAW HATS now 1/2 price

Men's Shoes Men's \$3.50 Oxfords in patent tip, tan and black, with Russia Tan Calif. soles... \$2.45

J.M. HIGH COMPANY J.M. HIGH COMPANY

JUDGE ROSE CRUCIFIXES CONLEY'S TESTIMONY JUST STAND

Defense Asks Mistrial When Crowd in the Court Applauds Announcement of the Decision

Judge Ross, However, Refuses to Stop Trial-Dr. Harris on Stand During Afternoon and Again Asserts that Mary Phagan Suffered Violence Just Before Death - Dalton Called to Corroborate Conley But Court Adjourns Before He Testifies

Dr. H. P. Harris, secretary of the state board of health, was the first witness called for the Wednesday afternoon session after the jury was called into the room. The direct examination under Solicitor Dorsey was resumed.

Dr. Harris asserted very positively that Mary Phagan had suffered violence of some kind immediately prior to her death, and explained in detail his reasons for reaching this conclusion.

The secretary of the state board of health was examined at 1 o'clock before the cross-examination had been finished. He was very weak, he said in response to the court's inquiry, and was permitted to leave the room, which was retaken by the state.

Mr. J. W. Coleman, mother of Mary Phagan, was the last witness called before adjournment.

Mr. Dalton, proposed by Conley, as having visited the factory in compliance with two women, was called just before court adjourned but did not testify.

Great excitement prevailed in the court room Wednesday afternoon when Judge Ross announced his decision to reverse his ruling on the killing of Mary Phagan, and to grant a mistrial.

From the spectators gallery the crowd cheered the decision, but quieted down after Attorney Arnold's motion to clear the room.

Judge Ross refused to clear the court of spectators and to waive the adjournment until the afternoon session.

Arnold then moved for a mistrial, in this he was also overruled by the judge.

Judge Ross, in his ruling, held that all of Conley's testimony would remain in the record of the case and that Solicitor Dorsey would be allowed to re-examine the witness.

Charges against Frank's conduct in his presence. As to allowing the jury to testify on the witness's testimony, Judge Ross held that inadmissible and the news will not be recalled.

W. W. Conley commenced at 1 o'clock. Solicitor Dorsey resumed his argument. The witness resumed his testimony.

The witness resumed his testimony. He stated that he had seen Mary Phagan on the night of the killing.

In this instance, said he, the court should hold that the defense has waived the right to object to the evidence, and that the jury should determine its weight.

Several Georgia cases, among them those of the state board of health, were cited by the witness to show that no real rule can be observed in the case of a witness who has been examined and cross-examined.

I intend to show, said he, that the witness is a competent witness, and that the jury should determine its weight.

THE JURY QUERIES AUTHORITIES. Solicitor Dorsey argued that the witness's testimony was not reliable.

While the solicitor argued Attorney Hooper said in the witness's chair, killing back with his face contorted.

HE REPRESENTS JAMES CONLEY



Attorney William W. Conley, who claimed in the court room Tuesday with Assistant State Attorney General Dalton, was seen in the photograph.

Conley said he had seen Mary Phagan on the night of the killing. He stated that he had seen her in the factory on the night of the killing.

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showed the following results: In a normal healthy boy of 14 years, digestion of the stomach is completed in 15 to 20 minutes of beginning of digestion in the stomach. In a full grown man with a normal healthy stomach, digestion is completed in 15 to 20 minutes.

There was no evidence of any abnormality in the stomach of the subject. The subject's stomach was found to be normal in all respects.

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at where of minor importance, which is not mentioned.

Answering a question by Mr. Dalton, Dr. Harris stated that he was not a physician, and that he was not qualified to determine the cause of death.

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News of Women and Society

To Miss McKee

Mr. and Mrs. George M. McKee entertained at dinner at the Capital club this evening in honor of Miss McKee, who has recently returned from Europe.

Miss McKee, who has recently returned from Europe, was the guest of honor at a dinner given at the Capital club.

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Advertisement for Carter's Little Liver Pills, featuring a cartoon of a man with a large liver and text describing the benefits of the pills for various ailments.

Advertisement for Northwestern Mutual Life Insurance Co. of Milwaukee, featuring a portrait of a man and text describing the company's services and financial strength.

Table with financial data, including columns for 'Total Assets', 'Total Liabilities', and 'Total Income'.

Advertisement for W. Woods White General Agent, featuring a portrait of the agent and text describing his services and contact information.