

CORONER'S PHYSICIAN DAMAGES HARRIS EVIDENCE FOR STATE. Dr. Hurt Says That Undigested Cabbage Does Not Prove Time of Death

EXPECT TO FIND NO SKULL FRACTURE; SIRE GIRL WAS STRANGLED TO DEATH

FOREMAN OF FACTORY AN IMPORTANT WITNESS



N. V. Darley, witness by the State, proved to be one of the most important witnesses in the trial of Frank.

Important case. You will have to be extremely cautious and extremely careful. You are to try this case from the evidence and not from anything else. It has been suggested that you have been told that the newspapers have some writings in the newspaper which may have influenced you in your judgment on this case. I desire to tell you that you are the ones trying this case, and I desire to have you gain this nothing you see in the newspaper. But the articles or the court room should have any influence upon you either in favor or against the State or the defendant. Let the case proceed.

The examination of witness proceeded. The defense called sharply Saturday in a vigorous manner on the emotional testimony of Dr. H. P. Harris, who declared Friday afternoon that Mary Phagan was killed within a half-hour after she ate dinner April 26, and that she came to her death by strangulation.

From one of the State's own witnesses, Dr. J. W. Hurt, coroner's physician, Heaben Arnold obtained the important admission that the time it takes to digest cabbage depends on the individual and that the only way to determine with certainty if strangulation is the cause of death is by an examination of the lungs. He admitted the lungs were not examined.

Attacking the testimony of Dr. Harris, the defense called on the stand Friday Arnold asked the witness if Dr. Harris' statement that Mary Phagan had been killed within a half-hour of the time she ate her meal was not the wisest admission of a coroner. He said his conclusions on the fact that the cabbage he had found in her stomach had undergone only the slightest digestion.

It is not true that cabbage is digested in the stomach in about 15 minutes, and that the average time required to digest it is from 3 1/2 to 4 hours' said Attorney Arnold.

Dr. Hurt replied that he thought this was so. No proof in cabbage. Arnold then showed the specimen of cabbage taken from the stomach of the murdered girl, and called attention to the fact that it had not even been macerated, and that therefore it might have been in her stomach for several hours before she was killed.

Dr. Hurt accompanied this statement by the one, equally vital, that no examination was ever made of the murdered girl's lungs. From this testimony the defense will be able to argue that the State had no substantial foundation for its charge that the girl was strangled to death.

To corroborate the testimony of Dr. Harris. The defense, it is understood, will make a vigorous attack on the testimony of these experts. Only one was called Monday afternoon, although it is more than likely that the State will have him until Tuesday.

Helan Ferguson, a companion of Mary Phagan and an employee of the factory, was the first witness to be called when court resumed Saturday morning. The greatest crowd of people has besieged the courthouse since the coroner's inquest.

Pay Refused. Solicitor Dorsey examined Miss Ferguson. Witness said she was an employee of the factory. Q. Were you at work at the factory Friday, April 25? A. Yes.

Q. Did you work that day or just go there? A. I went to the office about 10 o'clock. Q. What conversation did you have there? A. I asked for Mary Phagan's money and was told that could not be done. I talked to Mr. Frank.

Q. Did you ever get Mary Phagan's money from Mr. Frank? A. No. Q. Did you work in the meat department with Mary? A. Yes. Detective R. L. Waggoner, who was called on the stand Friday, said that he had heard nothing and Judge Ross allowed him to testify.

Q. Where were you Tuesday, April 27? A. Across the street from the National Penicillin Factory. Q. What did you see? A. I saw his hands and looking down. He did it about a dozen times.

Q. Was he nervous or composed? A. Nervous. Q. Were you in the automobile when he was taken to the police station? A. Yes. Q. Was he nervous? A. Yes. His eyes were not mine. It shook very much.

Every member of the jury read it; I saw them leaning forward to see it. "We don't want to make a motion for a new trial, but we want this jury called back and such explanation as to why your honor will eliminate any harm that might have been done by the jury seeing this paper."

Q. Does that digest? A. Yes, sir; I think it does. Q. If you find something and want to digest, digestion would continue? A. Yes.

Q. Why, then, does digestion stop when a person is unconscious? A. It is an unnatural unconsciousness. Q. An unnatural unconsciousness? A. Yes, because the heart is not beating and the only two things that have anything to do with digestion? A. Yes.

Q. Well, do they die when a person becomes unconscious? A. No, but the stomach is partially paralyzed. Q. Didn't you say it was a wild guess to say how long she was unconscious until the time she died? A. No, I don't think I did.

A mass of testimony followed that is unprintable. In the course of it, Dorsey said: "I object to these comparisons." Judge Ross—life has not been in your judgment on this case. I desire to tell you that you are the ones on the case and that you are to judge you again that nothing you see in the newspapers or the street or in conversation about the case will influence upon you either in respect to the case of the State or that of the defense."

Examination Resumed. Dorsey was permitted to put his question to Dr. Harris. Q. How long would you say this cabbage was in Mary Phagan's stomach before death? A. I would say that it was much shorter time than the other.

Q. What kind of unconsciousness is that? A. Natural. Q. Are any of the functions arrested? A. The brain. Q. Are any of the unconsciousnesses due to violence? A. Unnatural. Q. Are any of the processes of digestion arrested or delayed? A. Yes. Q. Have there not been instances of a blow on the head when the stomach contents have not been digested? A. Yes.

Attorney Arnold objected. "Your honor," he said, "this is unfair. It is obvious that this cabbage was not chewed. This witness has testified that it takes from three to four hours to digest cabbage; also he has said the cabbage said to have been digested in one hour might have gone into the stomach almost as in liquid form as it now appears. It is not a fair comparison, because the few samples of cabbage did not go into the stomach in the same form."

Will 5 Ounces of Cabbage Help Convict Leo M. Frank?

Are five and a half ounces of cabbage to be the principal factor in sending a man to the gallows? If the prosecution is warranted in its belief in the vital and incriminating importance of the testimony of Dr. H. P. Harris, director of the State Board of Health, this is exactly the outcome to be expected in the trial of Leo M. Frank, charged with the murder of little Mary Phagan.

It remains, however, for the State to show explicitly just how the same scientific conclusions reached by Dr. Harris as a result of an analysis and examination. Then will ask: "If Jim Conley is the murderer of Mary Phagan and that he was guilty of the crime, why did he not happen to be doing on a box by the side of the State on the first floor when Mrs. Arthur White came down on the day of the tragedy?"

As it stands, the testimony of Dr. Harris is not by any means conclusive. It is, however, far the most important evidence that has been submitted. The former electric rays of very high temperature are passed through the meat and the result is a surgical part of the treatment. The current reaches the tissues from the surface and the application of which acts as a bloodless cauterization. It is used in the treatment of the reduction of obesity and in the treatment of hemorrhoids and is an aggregate of about 500 pounds of fat.

Takes 500 Pounds of Fat Off 40 Patients

Special Cable to the Georgian. LONDON, Aug. 2.—Professor Naleghind performed two operations in a London hospital today with his wonderful diathermic treatment, in which he employs both medicine and surgery. In the former electric rays of very high temperature are passed through the meat and the result is a surgical part of the treatment. The current reaches the tissues from the surface and the application of which acts as a bloodless cauterization. It is used in the treatment of the reduction of obesity and in the treatment of hemorrhoids and is an aggregate of about 500 pounds of fat.

Old English Borough Has 1,000th Birthday

LONDON, Aug. 2.—The borough of Bath today celebrates its one thousandth birthday. The town, which is situated in the county of Somerset, was founded by the Romans and has since that time been a center of industry and commerce. The town is famous for its Roman baths and its beautiful architecture.

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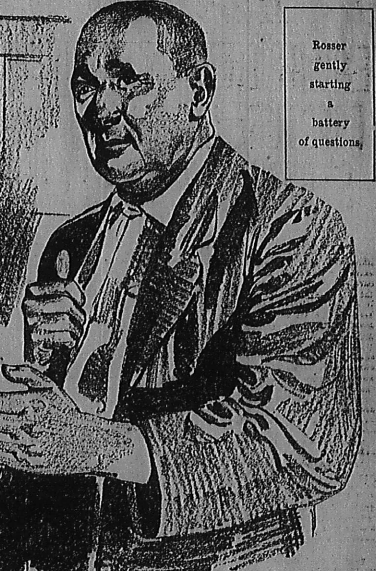
DR. J. D. HUGHES, 1015 P. COACH TRAIL, SOUTHERN RAILWAY. KIDNEY, BLADDER AND URINARY TROUBLE, STRICTURE, VARICOCELE, HYPOSPADIAS, GONORRHOEA, GONITIS, CONTAGIOUS BLOOD POISON.

DR. J. D. HUGHES, 1015 P. COACH TRAIL, SOUTHERN RAILWAY. BATHING, BALTIMORE, MD. \$20.85 Round Trip \$20.85. Tickets on sale August 1 and 2. Return limit August 16. Through electric lighted steel sleeping cars. Dining cars on most convenient schedules. SOUTHERN RAILWAY.

LUTHER ROSSER EXEMPLIFYING THE GENTLE ART OF CROSS-EXAMINING

To the casual spectator who feels no personal interest in the outcome of the Frank trial, the one great feature of the courtroom is the cross-examining of the State's witnesses by Luther Z. Rosser. Rosser roars, Rosser whistles, Rosser threatens, Rosser pleads, Rosser insinuates, Rosser cajoles, Rosser jests.

At the left is shown Rosser holding his arms out as though to receive and clap to his breast the answer about to come to a difficult question he has put. At the right is Rosser grinning sarcastically. A witness for the State has just said that his memory was as fresh after two years as two days.



Rosser gently starting a battery of questions.

DR. HARRIS SHOWS FRANK HAD CHANCE TO KILL GIRL

By JAMES B. NEVIN.

The testimony of Dr. Roy Harris, chairman of the State Board of Health, and one of the most learned and approved physicians in Georgia, was dramatic, both in its substance and in the manner of its delivery Friday.

It was not calculated to help Leo Frank—and it did not. The exhibition of a portion of the contents of the dead girl's stomach, for the purpose of approximating the time of her death, had, however, the parked courtroom—and the fainting of the physician—during the progress of his testimony gave a final touch of melodrama to the trial that thrilled the audience as nothing else has thus far.

Dr. Harris impressed me, too, as believing in Frank's guilt. I do not know that he does believe that way. It merely happens that he seemed so impressed me.

And if he impressed that jury as impressed me, then the things he testified may, if the remainder of the case against Frank holds together, prove eventually to be the defendant's undoing.

Shows He Had Chance.

To be sure, the State has not yet found the crime definitely on Frank. It has definitely shown, unless its witness is impeached, which is highly unlikely, that Leo Frank MIGHT have murdered Mary Phagan and that he DID have the opportunity to accomplish it.

Having shown that the OPPORTUNITY was there, and that the murder likely was committed during the time limits of that opportunity, the remaining elements of the case need but to be knitted together to make a chain, indeed the only one for Frank.

Frank himself, Milton Street, Mrs. White and Dr. Harris, try to put together a chain that was apparently strong and dangerous.

That, from the standpoint of the defense, however, is the worst view to take of it.

It must be remembered that the defense as yet has introduced no such high advantage as it has had in the past. It has won many points—it has gained by winning many of its own witnesses many points of fact favorable to the State.

When the defense comes to tell its story it may be confidently anticipated that additional weight will be placed on the State's case by the discovery of the only question it will be found SUPPLEMENTARY to the cause the entire chain to fall apart.

Defense Backs Weakest Link.

A chain is, of course, only as strong as its weakest link. Will the defense be able to locate the State's weakest link? And having located it, will it be able to strain to the point of snapping it?

That is the perplexing and erudite that Rosser and Arnold are contemplating from case after case and to-day Dorsey and Hooper from the stand.

The black, forbidding shadow of the negro, Jim Conley, has fallen heavily always the courtroom in the

old City Hall, where Frank is battling for his liberty, his good name and the restoration of his status as an upright and honorable man among his fellows.

The State is having the way to the climax of its case—it is leading up, and with considerable skill, and address, to the text of its biggest asset or its most tremendous liability, as the case may be—Jim Conley, confessed accessory after the fact of Mary Phagan's murder and by many suspected of being the principal to the murder.

Somehow it seemed to me that Luther Rosser goes more and more cautious in his cross-examining Friday and Saturday and certainly Ben Arnold appeared to weigh well his words and carefully propound his questions.

Dorsey Has Temper in Leap.

Dorsey, too, has his temper much more honorably in hand—and Hooper

Hooper is the same as ever—aiming calm, deliberate, rarely opening at all, save to whisper directing words into his associate's ear now and then.

When Jim Conley is on the stand, Leo Frank will be face to face with the crisis in his trial—will Conley will leave the stand Frank's final deliverance and battle, or his eternal damnation on earth.

For this is a rifle in truth to the very death—a battle in which much is being neither given nor asked.

It means hope, and love, and life, and liberty to Frank, or it means—

I looked long and earnestly into the faces of those twelve "good men and true," the "constituted" of the jury on Friday afternoon.

To me, the Frank jury appears to be much above the average.

A composite picture of it would indicate, I suspect, intelligence, level-headedness, business knowledge and poise.

It is the sort of jury that should try a case of such unusual quality as the one I now have in hand.

In an assuming and determined tone, the State's witnesses are hoping sincerely to establish that it is largely an abstract proposition to the average man.

The point, however, is not so much what any one of the witnesses says as what does that JURY think.

The impressions that evidence produces are varied, and sometimes precisely say which way it will cut.

And right here my mind goes back involuntarily to Dr. Roy Harris, and his remarkable testimony.

Indoubtedly the defense will have to put on its thinking cap, straight and firmly set, if it hopes not only to meet the testimony and discredit it, but particularly and relatively in point, but to remove the profound impression it may have made upon the jury.

It is, after all, largely upon mental impressions—perhaps more often than not—that jury verdicts are predicated.

The psychological responsiveness of the jury frequently controls the finding.

I don't know.

If Dr. Frank's testimony has

weighed heavily against Frank in the mind of the jury, the defense will find it extremely difficult to remove that weight.

The Solicitor General may have been far more astute and inclusive, than some have thought, when, time and again, he claimed to have been entrapped by his own witnesses—that they were not now answering the same things that a few weeks ago they swore readily enough.

Effect May Be Deviate.

If the Solicitor has managed to get it into the minds of that jury that Frank needs protection against actually damaging circumstances, that witnesses have been tricked to protect him against another thing, may be inferentially set up, though that Frank was "nervous" or "extremely nervous" just after the crime was committed—the idea being that it was agitated it likely was because of his guilty conscience.

The State has committed this offense, in so far as the substance of its denials are concerned, and yet into this idea obscures the thought that maybe, after all, the State has been cleverer than the defense has imagined, by forcing the State rather to overdo its hand in that direction.

Now, these suggestions may be more or less casual and hard to hold of, but they are in no way impossible. Indeed, when it is remembered that the State all along has up to its eyes in the circumstantial case against Frank always up to its eyes in the circumstantial case against Frank, it will be seen that the star witness, Conley—once both his hope and its despair—and that the story of the witness is grimly grotesque in parts.

Witness in Parts Strangely Falling on the Imagination. Based on the portions, upon admitted facts and independent studies, the great help and assistance to the State of a mentally receptive jury may be and doubtless will be, appreciated immediately by the reader.

In only and every aspect of the case it is but the simple truth to say that both the State and the defense have been forced to the skafing on dangerously thin ice more than once so far.

moreover, if the jury can be brought to that psychological state suggested in this article, it is the true purpose of the State to bring it there.

Situation Rests on Him.

There are a good many things in this line to be sure—but all psychological situations are pulled largely upon "him."

That the State is undertaking to establish a psychological effect in any one other direction, too, is evident in the way it insists, over and over, that Frank was "nervous" or "extremely nervous" just after the crime was committed—the idea being that it was agitated it likely was because of his guilty conscience.

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Wilson Takes a Day Off; Golfs a Little

WASHINGTON, Aug. 2.—President Wilson today stayed all official business. He popped in the morning with Dr. C. Gray, and he accepted a plan, and planned to go to the ball game in the afternoon.

Roan Holding Scales of Justice With Steady Hand

By L. F. WOODRUFF.

Emotion's entire gamut is daily run on the screen of faces watching the Frank trial. It is the true purpose of the State to bring it there.

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He is not a man of four hours, his right hand waving a huge palm leaf fan. He is a man of four hours, his right hand waving a huge palm leaf fan. He is a man of four hours, his right hand waving a huge palm leaf fan.

FRANK JUROR'S WIFE ONE GRAND, SWEET SONG--NOT

O. B. KEEBLER.

The juror's life is not untroubled with care. He looks over next time you attend the Frank trial. Size up his little job. Weigh his responsibility. Consider his own case out of his case.

And then, if seeking employment, go out and sign a contract to make three ones out of his case.

It is a more satisfactory way of earning \$2 a day.

The juror's business is to collect evidence by the careful, all the same, separate the true from the false, and make it into a verdict as between the State of Georgia and Leo Frank.

On the face of it, the plan is beautiful. But the beauty is only skin deep. You are reckoning without the lawyer.

Here Enters the Lawyer.

The simple-minded layman—and that rating includes the juror—cannot get out with the idea that the business of a lawyer is to extract evidence from the witness in available form for proper consideration by the juror.

It speedily develops that the juror's business is to collect evidence by the careful, all the same, separate the true from the false, and make it into a verdict as between the State of Georgia and Leo Frank.

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being thus at a premium, the juror probably is amazed when Mr. Rosser, shouting with grief and indignation, protests against Detective Scott reading from some notes he made while working directly on the case.

Mr. Scott to refresh his memory by means of notes and then read the product of such refreshment to the jury.

This is agreeable to Mr. Rosser and the court, but when Mr. Dorsey asks Mr. Scott to refresh his memory by means of notes and then read the product of such refreshment to the jury.

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THE ATLANTA GEORGIAN.

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VOL. XII, NO. 311. ATLANTA, GA., SATURDAY, AUGUST 2, 1913. 2 CENTS. PAY NO MORE

DR. HURT SAYS GOOD IN STOMACH FAILS TO SHOW TIME OF DEATH

Here are the important developments of Saturday's session of the trial of Leo M. Frank:
Attorneys for the defense spring a sensation by threatening a move for a mistrial because Judge Roan has exposed a newspaper headline to the jury. A compromise is effected by the judge cautioning the jury to disregard any outside influence.
Dr. J. W. Hurt, after testifying along the line taken by Dr. H. F. Harris' testimony of Friday, admits that no examination was made of Mary Phagan's lungs, and that whether death comes by strangulation can be determined only in this manner.
Dr. Hurt testifies under cross-examination that he would not attempt to say that Mary Phagan came to her death within a half hour after she had eaten merely because some cabbage, only partially digested, had been found in her stomach. He declares the time it would take to digest cabbage depends on the individual.
He also testifies that in his examination of the body he discovered no indications that would lead him to say that the girl had been criminally attacked.
Jim Conley is made ready to testify Saturday afternoon, but court adjourns at 12:30 until 9 o'clock Monday morning.

A genuine sensation was sprung at the trial of Leo M. Frank Saturday morning when Luther Rosser and Robert Arnold, attorneys for the defense, asked the State to consent to a new trial on the ground that Judge Roan had allowed the jury to catch a glimpse of a headline in the first extra of The Georgian.

SEEK NEGRO WHO TRIED TO SLAY WITH AX

The defense lawyers went into immediate conference with the judge and a few minutes later asked Solicitor Dorey to consent to a new trial. The Solicitor refused.
Rosser also explained.
Rosser and Arnold then came into the courtroom and asked that the jury be withdrawn.
Rosser addressed the court:
"Your honor, inadvertently displayed a newspaper when you came into the room. One side was turned up with large red letters reading: 'State Adding Links to Chain.' Every member of the jury read it. I saw them leaning forward to see it.
"We don't want to make a motion for a new trial, but we want the jury called back and such explanation made as your honor will oblige with any harm that might have been done by the jury seeing this paper."
Solicitor Dorey objected.
Dorey objected to Rosser's request of Judge Roan.
"I object to your honor making an explanation as to an incident in this case," said Dorey. "It is only fair to the State to call the jury back and ask if it had seen any newspaper. It is only fair to the State to tell that jury that the objection of protest was registered by the defense. The jury must have seen newspapers on the streets in going to and from the hotel that had headlines in them eminently unfair to the State case. I will ask your honor to explain the matter fully to the jury."
Judge Roan headily said: "Call the jury back and I will tell it what I see."
Attorney Rosser during the Solicitor's speech spoke in his own defense, threatening a mistrial if the prosecutor's request was granted.
Judge Roan said to the jury when the trial had been returned to the jury:
"Gentlemen of the jury, this is the first extra of the paper."
Continued on Page 2, Column 1.

THE WEATHER.
Forecast for Atlanta and Georgia--Occasional showers Saturday and Sunday.

LATEST NEWS

HARTWELL.—Thed W. Holbrook and a negro drowned today in the Tugaloo River at Chabadale Ford when their boat was capsized. Neither of the bodies has been recovered. Holbrook was a prominent young business man. He was 27 years of age and leaves a wife and two children. He carried \$5,000 life insurance.

CINCINNATI, OHIO, Aug. 2.—The ninth victim of the Motor-drome accident, Michael Carney of Lima, died today. Physicians extend no hope of the recovery of several others who were buried in the gasoline explosion which followed the wreck.

WASHINGTON, Aug. 2.—State Department advised from Canton, China, received today, report that Kwang-shan has arrived at Sam Shai in a march against Canton and that he has offered a reward for the arrest of the rebel military Governor, Chen.

CHATTANOOGA, Aug. 2.—Bradford Kinross, foreman at the City Club, died today as the result of a premature explosion when lighting a charge of dynamite. Kinross was 47 years of age.

FOREST CITY, ARK., Aug. 2.—The Bank of Forest City today closed its doors and President Rolf was spirited out of the city by a few depositors who were alarmed. The bank had a capital of \$100,000 and deposits are said to total \$200,000.

NEW YORK, Aug. 2.—Daniel M. Tolman, the lost shark king, sentenced in Trenton yesterday to pay a fine of \$1,000 and put on probation for three years, was arrested here today on a charge of usury.

STEVENSVILLE, OHIO, Aug. 2.—The Stevensville Fire and Marine Co. of the Westinghouse Electric Co. is being investigated by the State for allegedly paying approximately \$500,000 to the principal plants of the company and Stevensville, Martins Ferry and Steubenville.

CAIRO, Aug. 2.—A negro entered the home of George Bodford, a respectable white farmer of Grady County, living about six miles from Cairo, and with an ax brained him, his wife and five children last night. Some of the children have survived, but the father and mother are unconscious and the chances for their recovery are very slight.

The details of the crime are meager. The only clew as to the guilty party is from one of the little girls, who has revived sufficiently to make a statement. She says that she was awakened by the negro coming into the house. As she retreated, he hit her in the head with the ax and then struck her father, mother, and some of the smaller children.

Girl Gives Alarm.
One girl, about 12 years old, was struck in the head and knocked down, but as she fell she grabbed the negro around the legs and threw him. This frightened the negro and he ran, leaving the ax in the house. The girl gave the alarm and several neighbors came to the house.

The Sheriff and a posse, with three deputies, went to the scene before daylight this morning. They report it is likely that most of them will be killed, with the possible exception of the man and wife. The Sheriff arrested a negro said to have been with one who did the deed. He remains in the yard to wait, while the other entered the house.

As and She Identified.
The ax and a pair of shoes, left in the yard, were identified today by the cover, with the possible exception of the man and wife. The Sheriff arrested a negro said to have been with one who did the deed. He remains in the yard to wait, while the other entered the house.

SANDUSKY, OHIO, Aug. 2.—Twenty custom cutters, attending the International Custom Cutters' meeting here, today wore trousers of white flannel, the legs of which were slit to a point between the ankles and the knee under which hoisted a doll's face was worn.

NARRAGANSETT PIER, Aug. 2.—A young man appeared at the pier today with a beauty spot on his left cheek. The astonishing feature was dressed in white and came from Watch Hill. The beauty spot was a light heart-shaped bit of black court plaster.

MODERLY BILL HELD PANIC REMEDY

Senator Owen Asserts Banks Will Gain, Not Lose, Under Wilson Reform Act.

WASHINGTON, Aug. 2.—With the broad assertion that "panic will be impossible if the administration currency reform bill is passed," Senator R. Owen, of Oklahoma, chairman of the Senate Committee on Banking and Currency, today replied to bankers who demand to know what advantages they will gain from the bill. Owen asserts the bill will safeguard banks against occasional runs and the ordinary State bank panic of mind against possible artificial panic and that while the banker loses 2 per cent on a part of his reserve deposited with the Federal Reserve Bank, the activity will make money by other advantages.

Senator Owen points out that a reserve of 15 per cent will be sufficient instead of the 10 per cent now carried. With the same money, he asserts, a bank of \$100,000 capital would make \$2,700 each year more than under the present law.

In reply to the suggestion that bankers should control the Federal Reserve Bank because they are "putting up all the money," he replies that the banks are not putting up money, but are merely lending credit, and that the Government is really supplying the money which is not supplied by depositors themselves.

Falls 80 Feet, but Returns to His Job.
In spite of having fallen 80 feet from the smokestack of the Western Newspaper Company on Central avenue, W. W. Burdette, of No. 213 B Street, was back at work Saturday morning.

Burdette, the daring steepwalek, had received a serious injury to one side of his back while saving a woman who had fallen from the top of a building lying on the ground below.

He was taken to Grady Hospital but recovered sufficiently to get away there to be able to walk home.

A. H. Thomas, 33, Dies After Short Illness.
A. H. Thomas, a well-known shoeman of Atlanta, died at a private sanitarium early Saturday morning, after a brief illness. He was 33 years old, and was formerly with the shoe department at Daniel Brothers' store. He is survived by his mother, Mrs. Mollie J. Thomas, a brother, D. E. Thomas, an aunt, Mrs. N. Cottingham, and one uncle, C. J. Denning. Funeral services will be held Sunday morning at the residence, No. 238 South Moreland avenue. Interment will be at Westview.

Premature Blast in Mine; 10 Near Death.
MYNEMA, IND., Aug. 2.—Ten miners avoided probably fatal injuries and ten others were in a serious condition today following the premature explosion in Jackson Hill mine No. 3, near here late yesterday.

According to the mine superintendent, the explosion was the result of a "windy shot" fired ten minutes after the mine was started. The mine inspectorpector Pease announced an investigation will be held.

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SMITH GETS TRIPLE NINE

Walle's Long Drive Helps Crackers Score Three; Williams and Conzelman on Slab.

PONCE DE LEON BALL PARK, Aug. 2.—Walle Smith's long triple in the third inning gave the Crackers a run and an early lead over the Yps in the first game of their double-header. Walle scored one tally in the opening inning. Conzelman and Williams were on the mound. About 3,500 fans were at the game.

FIRST INNING.
Daley drew a pass and tried to bunt, popped a low foul which Holland caught with the bare hand. Spratt grounded to Bisland, who threw to Smith in an attempt to force Daley. Smith dropped the ball and both men were safe. Dison singled to center and Daley scampered home with the first run of the game. Young hit into a double play, Smith to Bisland to Agler. ONE HIT, ONE RUN.

SECOND INNING.
Perry waltzed out, Bisland to Agler. Holland singled to center. Conzelman grounded to Bisland, who threw to Smith in an attempt to force Daley. Smith dropped the ball and both men were safe. Dison singled to center and Daley scampered home with the first run of the game. Young hit into a double play, Smith to Bisland to Agler. ONE HIT, ONE RUN.

THIRD INNING.
Williams attempted a one-liner to center, but was caught by Agler. Williams was forced at second by Holland. Daley was forced at second to Bisland. Daley grounded to Bisland, who threw to Smith in an attempt to force Daley. Smith dropped the ball and both men were safe. Dison singled to center and Daley scampered home with the first run of the game. Young hit into a double play, Smith to Bisland to Agler. ONE HIT, ONE RUN.

FOURTH INNING.
Holland grounded to center. Conzelman singled to center. Williams walked, forcing Conzelman to second. Daley drew a pass. Holland grounded to Bisland, who threw to Smith in an attempt to force Daley. Smith dropped the ball and both men were safe. Dison singled to center and Daley scampered home with the first run of the game. Young hit into a double play, Smith to Bisland to Agler. ONE HIT, ONE RUN.

FIFTH INNING.
Lindsay singled through Smith. Williams grounded to center. Holland grounded to center. Conzelman singled to center. Williams walked, forcing Conzelman to second. Daley drew a pass. Holland grounded to Bisland, who threw to Smith in an attempt to force Daley. Smith dropped the ball and both men were safe. Dison singled to center and Daley scampered home with the first run of the game. Young hit into a double play, Smith to Bisland to Agler. ONE HIT, ONE RUN.

SIXTH INNING.
Spratt singled to left. Holland grounded to center. Conzelman singled to center. Williams walked, forcing Conzelman to second. Daley drew a pass. Holland grounded to Bisland, who threw to Smith in an attempt to force Daley. Smith dropped the ball and both men were safe. Dison singled to center and Daley scampered home with the first run of the game. Young hit into a double play, Smith to Bisland to Agler. ONE HIT, ONE RUN.

SEVENTH INNING.
Holland grounded to center. Conzelman singled to center. Williams walked, forcing Conzelman to second. Daley drew a pass. Holland grounded to Bisland, who threw to Smith in an attempt to force Daley. Smith dropped the ball and both men were safe. Dison singled to center and Daley scampered home with the first run of the game. Young hit into a double play, Smith to Bisland to Agler. ONE HIT, ONE RUN.

EIGHTH INNING.
Holland grounded to center. Conzelman singled to center. Williams walked, forcing Conzelman to second. Daley drew a pass. Holland grounded to Bisland, who threw to Smith in an attempt to force Daley. Smith dropped the ball and both men were safe. Dison singled to center and Daley scampered home with the first run of the game. Young hit into a double play, Smith to Bisland to Agler. ONE HIT, ONE RUN.

NINTH INNING.
Holland grounded to center. Conzelman singled to center. Williams walked, forcing Conzelman to second. Daley drew a pass. Holland grounded to Bisland, who threw to Smith in an attempt to force Daley. Smith dropped the ball and both men were safe. Dison singled to center and Daley scampered home with the first run of the game. Young hit into a double play, Smith to Bisland to Agler. ONE HIT, ONE RUN.

Final Score:
Crackers 3, Yps 0.
Walle, Smith, Triple Nine.
Williams, Conzelman on Slab.

Eight Trains of U. S. Fighters Landed in El Paso by Rebels.
EL PASO, TEXAS, Aug. 2.—The last of the Americans in Chihuahua City were brought into El Paso today by special trains over the Mexican National road, guarded by 1,200 Federal soldiers under Colonel Manilla. Eight train loads of refugees have been brought out of the Mexican city. Many Americans had died in one camp, arrived here last night after being three days on the way.

The refugees said they had been absent from Governor Carranza, head of the Constitutionalists, that Americans and other foreigners in all the states where his troops are fighting will be protected. Carranza added that the Constitutionalists will not accept any proposals for peace until Huerta has been deposed.

Negro Named for Federal Post Quits.
WASHINGTON, Aug. 2.—President Wilson today withdrew the nomination of Adams B. Patterson, negro, of Oklahoma, to be Register of the Treasury. Patterson having declined the appointment.

Weston, at 75, Ends 1,646-Mile Tramp.
MINNEAPOLIS, MINN., Aug. 2.—Edward Weston, 75-year-old pedestrian, today arrived in Minneapolis, having walked 1,646 miles from New York. He started from Heralds Square on June 2. A cannon salute, the blowing of factory whistles and the ringing of bells greeted the walker as he entered Minneapolis.

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COOKIER'S PHYSICIAN DAMAGES HARRIS EVIDENCE FROM STATE Dr. Hurt Says That Undigested Cabbage Does Not Prove Time of Death

EXPERT FOUND NO SKULL FRACTURE; SURGICAL GIRL WAS STRANGLER

FOREMAN OF FACTORY AN IMPORTANT WITNESS



N. V. Darley, presented by the State, proved to be one of the most important witnesses in the trial of Frank.

Important case. You will have to be extremely cautious and extremely careful. You are to try this case from the evidence and not from anything else. I have suggested that you have been able to see some headlines or some writings in the newspapers which may have influenced you in your judgment on this case. I desire to tell you that you are the ones trying this case, and I desire to warn you again that nothing you see in the newspapers on the streets or in the courtroom should have any influence upon you either in respect to the case of the State or that of the defense. Let the case proceed.

The examination of witness proceeded. The defense called sharply Saturday in a vigorous imprecation against the sensational testimony of Dr. H. F. Harris, who declared Friday afternoon that Mary Phagan was killed within a half-hour after she ate dinner April 16, and that she came to her death by strangulation.

Hurt told Harris, Dr. J. W. Hurt, County Physician, Resben Arnold obtained the important admission that the time taken to digest cabbage depends on the individual and that the only way to determine what the digestion is the cause of death is by an examination of the lungs. He admitted the lungs were not examined.

Attacking the testimony of Dr. Harris, who collapsed while testifying on the stand Friday, Arnold asked the witness if Dr. Harris' statement that Mary Phagan had come to her death within a half-hour of the time she ate her noon meal was not the wildest sort of a guess. Harris had based his conclusions on the fact that the cabbage he had eaten was the same which had undergone only the slightest digestion.

"It is not true that cabbage is one of the hardest foods to digest and that the average time required to digest it is from 1 1/2 to 2 hours," Dr. Hurt replied. He thought this was so.

Arnold then showed the specimen of cabbage taken from the stomach of the murdered girl, and called attention to the fact that it had not even been masticated, and that therefore it might have been her last food for several hours before she was killed.

Dr. Hurt accompanied this statement by the one equally vital, that no examination was ever made of the murdered girl's lungs. From this testimony the defense was enabled to argue that the State had no substantial foundation for its charge that the girl was strangled.

Arnold also forced Dr. Hurt reluctantly to admit that it was impossible for him to state positively that the blow on the back of Mary Phagan's head had produced unconsciousness or that, on the other hand, it might not have been the actual cause of her death.

Chief Beavers on Stand. Chief Beavers was one of the witnesses of the morning. An informal objection was made by Attorney Roser as to his appearing as a witness at the Chief previously had been in the courtroom as a spectator. Solicitor Dorsey explained that he had not known that he was going to call Beavers until he had attended the trial. The Chief testified only to his examination of the red spots on the floor at the pencil factory. He stated that he was present when the spots were checked up and that they looked like blood to him.

Other witnesses of the day were Helen Ferguson, a factory employee, who testified that the woman had died Friday night for Mary Phagan's pay envelope and that it was refused by Robert Lassiter. He stated that he found the parcel and a ball of wrapping tissue at the bottom of the elevator shaft, and Dr. J. W. Hurt.

That at least three or four witnesses will be placed on the stand by the State before Friday. The girl was indicted Saturday afternoon. Dr. Harris, who was examined Friday, it is said, will go on the stand next Monday morning for cross-examination, and following him will be one or two witnesses, experts in admiral surgery, who will be used by the State

to corroborate the testimony of Dr. Harris. The defense, it is understood, will make a vigorous attack on the testimony of these experts.

Conley may be called Monday afternoon, although it is more than likely that the State will save him until Tuesday.

Helen Ferguson, a companion of Mary Phagan and an employee of the factory, was the first witness to be called when court resumed Tuesday morning. She testified that she saw the weak bearded crowd of the clamoring for admission.

Solicitor Dorsey examined Miss Ferguson. Missa said she was an employee of the factory.

Q. Were you at work at the factory Friday, April 15?—A. Yes.

Q. Did you work that day or just go there?—A. I went to the office about 10 o'clock.

Q. What conversation did you have there?—A. I talked for Mary Phagan's money and was told that I could not get it. I asked for Mr. Frank.

Q. Did you ever get her pay before?—A. Yes, but not from Mr. Frank. Roser took the witness on cross-examination.

Q. Did you know who paid off?—A. No.

Q. Did you ever get Mary Phagan's money from Mr. Frank?—A. No.

Q. Did you work in the metal department with Mr. Frank?—A. Yes.

Q. How long did you work with Mr. Frank at the factory?—A. I worked with him at the factory the Tuesday morning after the crime and later at the police station with him, was the next witness called by Solicitor Dorsey.

Say Frank W. Hurt. Attorney Roser raised an objection to Wagoner on account of his having been in the courtroom for twenty minutes Wednesday. Wagoner stated that he had heard nothing and Judge Roser allowed him to testify.

Q. Where were you Tuesday, April 15?—A. Across the street from the National Penell Co. building.

Q. What did you see?—A. I saw Frank come to the window, wringing his hands and looking down. He did not say a dozen words.

Q. Was he nervous or composed?—A. Nervous.

Q. Were you in the automobile when he was taken to the police station?—A. Yes.

Q. Was he nervous?—A. Yes. His leg was next to mine. It shook very much.

the a mighty statement to get up and state that I had not eaten a chewed cabbage had not been in a stomach.

"I object," said Dorsey. "That is a question for a jury, and not Dr. Hurt."

"I thought it was wild," said Mr. Arnold.

"I object to that," returned Dorsey. "I will ask you to explain."

"I was entirely gratuitous and should never have been put in," said Solicitor Dorsey. The Solicitor was sustained.

Death Stops Digestion. Q. Do death stop digestion?—A. Yes, sir, I think it does.

Q. When a person becomes unconscious, does digestion stop?—A. I rather think so.

Q. If you ate something and went to sleep, digestion would continue?—A. Yes.

Q. Why, then, does digestion stop when a person is unconscious?—A. It is an unnatural unconsciousness.

Q. Aren't the gastric juices and blood the only two things that have anything to do with digestion?—A. Yes.

Q. Well, do they die when a person becomes unconscious?—A. No, but the stomach is partially paralyzed.

Q. Didn't you try to guess as to how long he was unconscious until the time she died?—A. No, I did not.

A mass of testimony followed that is unprintable. In the course of it, the witness said:

"I object to these comparisons." Judge Roser—He has not asked any questions of the witness. I desire to try to tell you that you are the ones trying this case, and I desire to warn you again that nothing you see in the newspapers on the streets or in the courtroom should have any influence upon you either in respect to the case of the State or that of the defense. Let the case proceed."

Examination Resumed. Dorsey permitted to put his question to Dr. Hurt:

Q. How long would you say this cabbage was in Mary Phagan's stomach before death?—A. I would say that it was a much shorter time than that.

Q. What kind of unconsciousness is sleep?—A. A natural.

Q. Are any of the functions arrested?—A. The brain.

Q. What kind of unconsciousness does violence produce?—A. A traumatic.

Q. Are any of the processes of digestion arrested or delayed?—A. Yes.

Q. How long would you say this cabbage was in Mary Phagan's stomach before death occurred?—A. Not more than a few minutes.

Attorney Arnold objected. "Your honor" he said, "this is unfair. You have asked a question which has not been asked. This witness has testified that it takes three to four hours to digest cabbage, and he has said the cabbage said to have been digested in one hour. It is a contradiction. It is not a fair comparison, because the two samples of cabbage were not put into the stomach in the same form."

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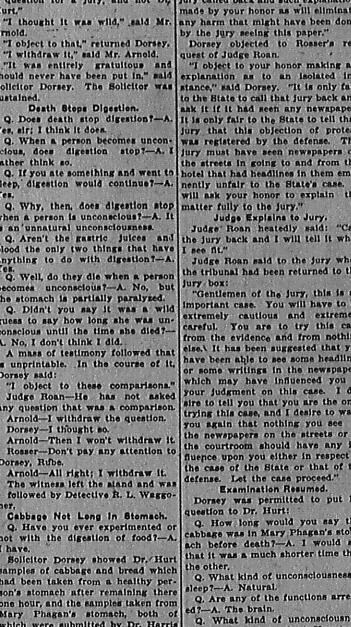
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FOREMAN OF FACTORY AN IMPORTANT WITNESS



N. V. Darley, presented by the State, proved to be one of the most important witnesses in the trial of Frank.

blow was struck?—A. No, I don't believe so.

Q. One thousand different effects could be produced without producing death or unconsciousness?—A. Yes.

Q. What makes you say that one little blow could have produced unconsciousness?—A. No.

Q. That little hemorrhage was not what enabled you to say that she was knocked unconscious?—A. No.

Q. How do you know strangulation killed her?—A. I could find no other cause.

Q. You never examined the lungs?—A. No.

Q. Why do you say strangulation caused her death?—A. Because I found the rope deeply imbedded in the neck.

Q. Not Sure About Asahut. Q. Looking at that girl that morning would you find her as you saw her?—A. I haven't said so.

Q. Will you say so?—A. I do not know.

Q. You found no external signs of violence?—A. No, but my examination was not final.

Q. Roser objected to the question. Dr. Dorsey objected to the question. Dr. Dorsey objected to the question.

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LUTHER ROSSER EXEMPLIFYING THE GENTLE ART OF CROSS-EXAMINING



To the casual spectator who feels no personal interest in the outcome of the State's witness by Luther Z. Rosser, Rosser whippers, Rosser threatens, Rosser pleads, Rosser insinuates, Rosser cajoles, Rosser jests. At the left is shown Rosser holding his arms out as though to receive and clasp in his breast the answer about to come to a difficult question he has put. At the right is Rosser grinning sarcastically. A witness for the State has just said that his memory was as fresh after two years as two days.

Rosser gently starting a battery of questions.

DR. HARRIS SHOWS FRANK NO CHANCE TO KILL GIRL

By JAMES B. NEVIN.

The testimony of Dr. Roy Harris, physician of the State Board of Health and one of the most learned and approved physicians in Georgia, was dramatic, both in its substance and in the manner of its delivery. It was not calculated to help Leo Frank, as it did not.

Dr. Harris impressed me, too, as believing in Frank's guilt. He did not merely happen that he seemed so to impress me.

FRANK JUROR'S LIFE ONE GRAND, SWEET SONG--NOT

O. B. KEELER.

The juror's life is not unmitigated care. Look him over next time you attend the Frank trial. Bise up his little job. Weigh his responsibility. Consider his problems.

And then, if seeking employment go out and sign a contract to make the juror's life a grand, sweet song.

It is a more satisfactory way of earning \$3 a day.

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Roan Holding Scales of Justice With Steady Hand

By L. F. WOODRUFF.

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being thus at a premium, the juror probably is amazed when Mr. Rosser, vibrating with grief and indignation, produces his witness. The fact that he is not a witness, but a juror, is not a witness, but a juror.

Rosser thundering, his face clouded by anger.

Wilson Takes a Day Off; Golfs a Little

WASHINGTON, Aug. 2.—President Wilson today dropped all official business. He golfed in the morning and in the afternoon, and planned to go to the ball game in the afternoon.

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FRANK DEFENSE SCORES WITH DR. HURT

Coroner's Physician, Under Cross Examination, Hits Testimony Given by Dr. Harris.

Despite the threatening weather, the Third Ward Civic club had an enthusiastic meeting Friday afternoon at the hotel in Grand Park.

Improvements of Grand Park were discussed. It was decided to have the city Council to erect a shelter for the famous old engine, "Texas," a relic of Civil War days. At present the engine is exposed to the elements. A shelter bearing its name and history is also desired.

The present enrollment of the club includes over 400 women of the Third Ward. The officers are: Mrs. John Austin, 416 Woodward avenue, president; Mrs. Island, Park avenue, vice president; Mrs. A. S. Wilson, 73 Augusta avenue, secretary; and Mrs. John H. Crowder, 31 Park avenue, treasurer.

Grasshopper Pest a Blessing-Incognito

JETMORE, KANS., Aug. 2.—Elmer Mathey, a farmer, who lives near Jetmore, has an extensive irrigation plant.

He put in eighteen acres of beans, which were doing fine, when they were attacked by the grasshopper plague. Mr. Mathey, however, was not alarmed, but called to the National Plant Pathology on the night of April 23.—A. Yes, I am not an expert? You couldn't tell as a chemist who made an analysis, could you?—A. No, I am not an expert, but I took it for blood.

Chief Beavers then left the stand and Policeman "Bee" Rooser was called. He did not answer and Policeman Robert Lasser took the stand. Dorsey examined him.

Q. Were you with the policeman called to the National Plant Pathology on the night of April 23.—A. Yes, I took it for blood.

Q. Did you find the parsnip?—A. Yes.

Q. Where?—A. At the bottom of the tractor.

Q. Anything else?—A. A ball of wrapping tissue behind the parsnip.

Dorsey cross examined the witness. Q. Did you see evidence of something having been dragged along the floor of the basement?—A. Yes, some distance from the elevator shaft.

Q. Sheek Factory door?—A. Yes.

Q. Did you testify before the coroner's jury that you found this evidence at the foot of the ladder?—A. I don't remember the ladder, as it is removed, and the hours of the trial are long.

Q. You were on the beat in front of the pencil factory, were you not?—A. Yes, until 12 o'clock at night.

Q. You tried the back door of the factory about 10 o'clock?—A. Yes, I shook it but didn't open it.

Q. Was it open or closed?—A. It was closed.

Dorsey took the witness on redirect examination.

Q. Do you know whether the elevator came down flat on the ground?—A. No.

Q. How did you go down into the basement?—A. By a ladder.

Q. Lasser was accused.

Berean L. B. Dobb, of the police force, was then called, but failed to answer.

Judge Ross then adjourned court until 10 o'clock Monday morning.

As the case stood Sunday morning, these are the strong links in the "Chain of cases":

Phagan left her home at 11:45, according to her mother, after having eaten some cabbage.

She arrived at the factory between 12:05 and 12:10, according to Frank's own statement before the coroner's jury.

Monteen Stover looked into Frank's office between 12:05 and 12:10 and says he was not there.

Dr. H. F. Harris, secretary of the State Board of Health, testifies that the condition of the cabbage taken from the girl's stomach shows conclusively that she died within about an hour after it was eaten.

The woman who made the time of death about 12:10—a few minutes before or after.

Clara Hays is eliminated.

Mrs. Arthur White testifies that when she left the factory at about 12:05, a negro, presumably Corley, was sitting on a box on the first floor. This, according to the State, eliminated the negro as the slayer.

According to the expert evidence, the girl must have been killed some time before that.

The defense's attack on all this testimony and reasoning was expected to be spirited and bitter, and until it has been made it is impossible to determine how much weight the jury will give Dr. Harris' purporting to fix it to the minute the time it takes to digest cabbage will have with the jury.

Advertisers in Camp, Observing Sabbath

FORT VALLEY, Aug. 2.—The first Sabbath of the annual camp meeting of the Georgia Advertisers is being observed here today.

Advertisers from all over the state and several others have been invited to attend the camp meeting, which is being held at the home of Mrs. J. W. Harris, on the farm near Fort Valley.

The Sabbath observance began at 10 o'clock with the opening of the camp meeting.

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Put Poison in Food; Sent to Reformatory

GREENSBORO, Aug. 2.—Lucy Clark, a negro convicted of a slaying assault on an inmate of the State Prison, was sentenced to the reformatory for putting arsenic in food prepared for the inmates.

Clark, who is confined in the State Prison, was found guilty of the slaying of a prominent dairyman and farmer residing near Greensboro, who was poisoned by arsenic.

The jury, which was composed of Judge James D. Park, of the State Reformatory at Millersville, and a jury of 12 men, found Clark guilty of the crime.

Clark, who is 37 years of age, was born in Alabama.

Mrs. Elkins Sponsor for a 'Julep Party'

WASHINGTON, Aug. 2.—According to advice from Elkins, Va., Mrs. Elkins is sponsoring a "Julep Party" for the benefit of the Elkins Hospital.

The party will be held at the Elkins Hotel, and will consist of a julep party, a dance, and a concert.

Mrs. Elkins, who is the wife of the late Senator Elkins, is a well-known philanthropist.

The Elkins Hospital is one of the largest and best equipped hospitals in the South.

Alabama Farmers to Hold Institute Aug. 8

COLUMBUS, Aug. 2.—The farmers of the county of Alabama will hold an institute in Auburn on August 8.

The institute will be held at the Hotel Auburn, and will consist of a series of lectures on the various phases of agriculture.

The lectures will be given by some of the leading agricultural experts in the South.

The institute is being held at the request of the Alabama Agricultural Experiment Station.

Two Workmen in Bankruptcy Court

DAVEY KENNETH HART, a railroad switchman, residing at East Point, filed a voluntary petition in bankruptcy in the United States District Court Saturday morning.

He admits liabilities of \$1,077.76, with no assets.

An involuntary petition in bankruptcy was filed in the United States District Court Saturday morning against A. B. Branch, a mechanic, residing at No. 61 Grant street. His liabilities are given at \$90.31, with no assets.

Travel 7,000 Miles To Wed Strange Girls

MILWAUKEE, Aug. 2.—Moe Beck, owner of the "Moe Beck" show, is expected to travel 7,000 miles in his show, which will leave for the first time in the history of the show.

The show will consist of a variety of acts, including a circus, a band, and a variety of other attractions.

The show is expected to be a great success, and will attract large crowds wherever it goes.

Civic Club to Ask Council to Shelter Famous Old Engine

Despite the threatening weather, the Third Ward Civic club had an enthusiastic meeting Friday afternoon at the hotel in Grand Park.

Improvements of Grand Park were discussed. It was decided to have the city Council to erect a shelter for the famous old engine, "Texas," a relic of Civil War days. At present the engine is exposed to the elements. A shelter bearing its name and history is also desired.

Wohlwend Declares Sheppard Let Amendments Die After Agreeing to Them.

Efforts to obtain a reconsideration of the Sheppard substitute to the Dipscomb tax reform bill, which was passed by the House of Representatives by a vote of 107 to 59 after an all-day session Friday, will be made within two weeks, and probably before the bill is sent to the Senate.

Representative McMichael of Marion County, whose amendment providing for discovery to work with the county boards provided by the Sheppard bill, was defeated, reported that he will make a motion to reconsider.

An amendment by Mr. Nunnally of Florida, which makes the State Comptroller General a sort of balance check on the county boards, also is likely to get the floor.

State Board Men Favor Move.

It is understood the members of the State Board of Health favor the idea which will support Mr. McMichael in his motion to reconsider the bill, and prospects are considered bright.

It was the State board advocates who urged the bill, and they are expected to support it.

The bill, which was introduced by Mr. Wohlwend, would give the State board of health the right to appoint and remove members of the county boards.

The bill also would give the State board of health the right to appoint and remove members of the county boards.

French Line to Build Ocean Leviathans

Special Cable to The Georgian.

PARIS, Aug. 2.—The French line of ocean liners is expected to build a new class of ocean liners, which will be the largest and most powerful ever built.

The new class of liners will be built for the French line, and will be the largest and most powerful ever built.

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College Park Wants Slogan; Offers \$25

Members of the College Park Board of Trade will Saturday select a slogan for a suitless slogan and name for the college park.

The board is offering a prize of \$25 to the person who suggests a suitable slogan and name for the college park.

The contest will close on August 10.

World's Best Athlete Loses Race to Cupid

LOS ANGELES, Aug. 2.—Miss Gail Jones, daughter of Mr. and Mrs. A. J. Jones, of Los Angeles, has won the title of "World's Best Athlete" by losing a race to Cupid.

Miss Jones, who is a well-known athlete, was defeated by Cupid in a race that was held in Los Angeles.

The race was held in Los Angeles, and Miss Jones was defeated by Cupid.

Children to March in Strikers' Parade

CALUMET, Mich., Aug. 2.—Quiet was observed in the Calumet mining region today that it was expected to be a strike.

The children of the miners are expected to march in a parade in support of the strikers.

The parade is expected to be held in Calumet, Mich.

Do you feel safe about the water you are drinking?

Let us tell you about Cascade Spring Water.

It's a pure, soft, unadulterated, natural spring water. It's an absolutely safe water. There is positively no salt or chemicals of any kind added to it. We do not "doctor" it.

Phone or write us.

Cascade Spring Water Company

Atlanta Phone 5856-A R. F. D. No. 1, Atlanta, Ga.

DOUBLE DEALING OVER \$1,000,000 LOSS FEARED IN TAX RETURNS

Decrease of \$750,000 Shown by 35 Out of 39 Counties—Governor Keeping Tab.

With county tax returns showing a loss of approximately \$1,000,000 in 35 out of 39 counties reported to date the State Treasurer Saturday faced the probability of the first decrease in tax returns since 1929.

Comptroller General Wright declared that unless the larger counties, Fulton, DeKalb, Spalding and Richmond, which have not been reported, show a corresponding increase the State treasury would show a decrease of \$750,000 in tax returns.

The books are closed next week. In 1929 counties showed a decrease of \$1,000,000 in tax returns and only four counties showed an increase.

The decrease continues to be reported from the counties. It is very likely that the deficit over last year's returns will be something over \$1,000,000.

C. A. Sheldon to Play Organ; Continuation of Concerts Assured

The departure of Dr. Percy J. States will not interfere with the free Sunday concert at the Auditorium organ for all the counties of Atlanta.

The program will include a symphony by Brahms, a concerto by Chopin, and a variety of other pieces.

The concert will be held at the Auditorium organ for all the counties of Atlanta.

Committee Favors Board for W. and A.

The Senate Committee on the Western and Atlantic Railroad has recommended favorably on a resolution providing for the appointment of a committee to investigate the proposed extension or resumption of service on the railroad.

The committee will be appointed by the Senate.

Thieves at Library Get Patrick Henry

Patrick Henry has been stolen from the Carnegie Library, and the police are searching for the thief.

The statue of Patrick Henry, which is a valuable piece of art, was stolen from the Carnegie Library.

The police are searching for the thief, and have a reward for information.

Baltimore, Md. \$20.85 Round Trip \$20.85

Tickets on sale August 1, 2 and 3. Return limit August 15. Through electric lighted steel sleeping cars. Dining cars on most convenient schedules.

Southern Railway.

The World of Society

The dinner dance at the Piedmont Club Saturday evening will assemble 200 members and their friends. Dinner will be served on the terrace at 8 o'clock.

One of the largest parties will be that given by Mr. H. McDonough, of Dallas, Tex., who is here for a few weeks with his family.

His guests will include Mr. and Mrs. James T. Williams, Mr. and Mrs. Clifford Hatcher, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller.

Dancing Party

Miss Estelle Louise Walker entertained at an informal reception Saturday afternoon from 4 to 8 o'clock in honor of her visitor, Miss Clara Pharr, of Dulac.

Miss Walker's guests included Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller.

PERSONALS

Mrs. R. M. Wiley and her daughter, Miss Josephine Wiley, recently came from Birmingham to visit Mr. Wiley, who is in the city.

Miss Wiley's guests included Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller.

Miss Schuessler

Another affair for the visitor was given by Dr. H. Steel in honor of Miss Schuessler, of Dallas, Tex.

Miss Schuessler's guests included Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller.

Miss Atkinson to Entertain

Miss Helen Atkinson will entertain at a dinner party on Saturday evening at her home.

Miss Atkinson's guests included Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller.

Mrs. Argard Entertained

Mrs. Argard entertained at a beautiful dinner party at the Hotel Ansony Friday evening.

Mrs. Argard's guests included Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller, Mr. and Mrs. J. H. Miller.

Woman Halts Plan To Change Street Name; Wins Delay

McDaniel street received a new lease on life Friday afternoon when the Street Committee of the General Council decided the protest of Mrs. Sulae Wells, a property owner, who, single-handed, fought the resolution to change the name of the street to Oxford Terrace.

The committee decided to delay the change of the street name.

What Does John D. Care for Expenses? Lets Rain Hit Hat

CLEVELAND, Aug. 2.—John D. Rockefeller scorned the umbrella which was held over him when he left Euclid Avenue Baptist Church and allowed a fine drizzle to patter down on his straw hat while waiting for friends to get into his long touring car.

The Rev. Dr. Carter Hahn Jones, of Louisville, Ky., who preached on "Moral Aspects" told the congregation that in the Christian life they were rich indeed, but that earthly riches do not amount to much, anyway.

SPAIN FROWN ON GAMBLING.

Special Cable to The Atlanta Georgian.

MADRID, Aug. 2.—The general government of Spain have given their official sanction to gambling in casinos and clubs at watering places.

FACE JULIA BORN. Starbated Till Face. Rejoins Sport. Telling Almost Instantly. Soon Well.

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Don't Wait Until Frost Arrives with Chilly Winds and Viny Blasts and you are shaking and shivering, but buy your COAL NOW, and have it in the bin. Prices are RIGHT, delivery PROMPT.

Randall Bros.

PETERS BUILDING, MAIN OFFICE: VARIOUS.

Market street and North Avenue. Telephone 1111. Branch office at 1111 North Avenue. Telephone 1111.

SEMI-ANNUAL STATEMENT

For the six months ending June 30, 1915, of the condition of the

LOYAL PROTECTIVE INSURANCE COMPANY, OF BOSTON

Organized under the laws of the State of Massachusetts, made to the order of the State of Georgia, in pursuance of the laws of said State, Principal Office—65 Bay State Street, BOSTON, MASS.

ASSETS

1. Whole amount of capital stock \$1,000,000.00
2. Amount paid up in cash 100,000.00—\$1,000,000.00

LIABILITIES

3. Stocks and bonds owned absolutely by the company \$250,000.00
4. Marine (Carried over) 128,303.00
5. Cash in the company's principal office 68,200.00
6. Cash in the company's branch office 82,606.00

INCOME DURING THE FIRST SIX MONTHS OF THE YEAR 1915

1. Amount of cash premiums received \$1,213,722.92
2. Received for interest 6,628.82
3. Income received from all other sources \$106,466.25
4. Total income actually received during the first six months of the year 1915 1,326,817.99

EXPENDITURES DURING THE FIRST SIX MONTHS OF THE YEAR 1915

1. Amount of losses paid \$116,143.44
2. Cash dividends actually paid 2,670.12
3. Amount of expenses paid, including fees, salaries and commissions to agents and officers of the company 459,919.11
4. Paid for State, national and local taxes in this and other States 9,237.75

RESERVE FUNDS

1. Reserve for unexpired policies \$1,184,668.84
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TOTAL ASSETS

Total assets of the company, actual cash market value \$1,771,213.01

LIABILITIES

Total liabilities \$1,771,213.01

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LUTHER ROSSER EXEMPLIFYING THE GENTLE ART OF CROSS-EXAMINING



Rosser gently starting a battery of questions.

To the casual spectator who feels no personal interest in the outcome of the Frank trial, the one great feature of the courtroom is the cross-examining of the State's witnesses by Luther Z. Rosser. Rosser roars, Rosser whispers, Rosser threatens, Rosser pleads, Rosser intimates, Rosser accuses, Rosser jests. At the least Rosser holding his arms out as though at receive and clasp to his breast the answer about to come to a difficult question he has put. At the right is Rosser grinning sarcastically. A witness for the State has just said that his memory was as fresh after two years as two days.

DR. HARRIS SHOWS FRANK HAD CHANCE TO KILL GIRL

By JAMES B. NEVIN.

Old City Hall, where Frank is battling for his liberty, his good name and the restoration of his status as an upright and honorable man among his fellows.

The State is paying the way to the climax of its case—it is leading up, and with considerable aplomb and address, to the seat of its biggest asset or its most tremendous liability, as the case may be—Jim Conroy, confessed murderer, on the stand.

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... [The text continues with a detailed account of the trial proceedings, mentioning the testimony of Dr. Harris and the cross-examination of witnesses.] ...

FRANK JUROR'S LIFE ONE GRAND, SWEET SONG--NOT

O. B. KELLER.

The juror's life is not uninteresting.

Look him over next time you attend the Frank trial. Pick up his little book. Weigh his responsibility. Consider the problems.

... [The text continues with an analysis of the juror's role, his responsibilities, and the challenges he faces during the trial.] ...

Roan Holding Scales of Justice With Steady Hand

By L. F. WOODRUFF.

The Roan's entire gamut is daily run on the green face watching the Frank trial.

... [The text continues with a commentary on the Roan's performance as a juror, highlighting his fairness and the impact of his verdict.] ...

Rosser thundering, his face clouded by anger.

Wilson Takes a Day Off; Golfs a Little

DEFENSE THEE ATLETS A MISTRIAL

FOREMAN OF FACTORY
AN IMPORTANT WITNESS



N. V. Darley, presented by the State, proved to be one of the most important witnesses in the trial of Frank

Newspaper on Judge's Desk Causes Protest

ROSEY BIL HELD PANIC REMEDY

Senator Owen Asserts Banks Will Gain, Not Lose, Under Wilson Reform Act.

WASHINGTON, Aug. 2.—With the broad assertion "panic will be impossible if the administration currency reform bill is passed," Senator R. L. Owen, of Oklahoma, chairman of the Senate Committee on Banking and Currency, to-day replied to bankers who demand to know what advantages they will gain from the bill. Owen asserts the bill will safeguard banks against occasional runs, give the ordinary State bank peace of mind against possible artificial panics, and that while the banks lose 2 per cent on a part of its reserves deposited with the Federal Reserve Bank, he actually will make money by other advantages.

Slit Pants and Beauty Spots for Men Ain't It AWFUL, Mabel?

SANDUSKY, OHIO, Aug. 2.—Twenty custom cutters attending the International Custom Cutters' meeting here, to-day wore trousers of white flannel, the legs of which were slit to a point between the ankle and the knee under which hoosery of delicate hue was worn.

Offers Pearl Riches To Garrison; Arrested

SAN FRANCISCO, Aug. 2.—Frank Buffington, a pearl fisher, offered \$25,000 to the Rev. Dr. Garrison, who had been here by offering to make him very rich. Buffington was locked up.

Beautiful Lily Elsie Sues Rich Husband

LONDON, Aug. 2.—Lily Elsie, a famous actress, has sued her rich husband for \$100,000, claiming that she had been married to him for a year and a half, but that he had never consummated the marriage.

Eight Trains of U. S. Refugees Landed in El Paso by Rebels

EL PASO, TEXAS, Aug. 2.—The last of the Americans in Chihuahua City were being brought into El Paso to-day by special trains over the Mexican National road, guarded by 1500 Federal soldiers under Colonel Manilla. Eight train loads of refugees have been brought out of the Mexican city. Five Americans had died in one coach arrived here last night after being three days on the way.

Georgia Father Is Seeking Children in South Carolina

GREENVILLE, S. C., Aug. 2.—To gain possession of his two children, aged 8 and 9 years, respectively, William A. Harris, of Chickeville, Ga., has sworn out warrants for the arrest of his wife, Mrs. Doris Harris, and her two children, who are living in this county, near Travelers Rest, S. C.

Civic Club to Ask Council to Shelter Famous Old Engine

Despite the threatening weather, the Civic Club, which is sponsoring the meeting Friday afternoon at the bandstand in Grant Park, will have a grand time. The engine, a famous old engine, "Texas," a relic of Civil War days, will be on hand.

Falls 30 Feet, but Returns to His Job

In spite of having fallen 30 feet from the smokestack of the Western Newspaper Company on Central avenue, W. W. Burdette, of No. 322 State street, was back at work Saturday morning.

Adventists, in Camp, Observing Sabbath

PORT VALLEY, Aug. 2.—The first Sabbath of the annual camp meeting of the Seventh-day Adventists here to-day. All business affairs and secular things have been laid aside at the city of tents in which the delegates are encamped, and the hours of the day are being devoted exclusively to spiritual exercises.

DOUBLE DEAL CHARGED IN TAX BILL

Wohlwendler Declares Sheppard Let Amendments Die After Agreeing to Them.

Efforts to obtain a reconsideration of the Sheppard substitute to the Lipson tax reform bill, which was passed by the House of Representatives by a vote of 101 to 89 after an all-day session Friday, will be made within two weeks, and probably before the bill is sent to the Senate.

Bees to Snook Kinks Out of Shank's Limbs

INDIANAPOLIS, Aug. 2.—Mayor Lewis Shank, who has been suffering from rheumatism for several weeks, will try the sting of honey bees as a cure. Forty-five stings are expected to give him permanent relief.

World's Best Athlete Loses Race to Cupid

LOS ANGELES, Aug. 2.—Miss Joan Johnson, daughter of Mr. and Mrs. A. A. Johnson, of Pasadena, will be married to Fred Johnson, champion all-around athlete of the world, early in September. The couple will live in Pasadena.

Print of Washington Family Brings \$200

LONDON, Aug. 2.—On the third day of the sale of drawings at Sotheby's, \$2345 for a rare early impression by J. B. Hill of George Washington and his family.

Woman Halts Plan To Change Street Name; Wins Delay

McDaniel street received a new lease on life Friday afternoon when the Streets Committee of the General Council vetoed the proposal of Miss Susie Wells, a property owner, who, single-handed, fought the resolution to change the name of the street to OXFORD street.

C. A. Sheldon to Play Organ; Continuation of Concerts Assured

The departure of Dr. Percy J. Starnes will not interfere with the free Sunday concerts at the Auditorium.

DR. HARRIS' WIFE FIRE OF DEFENSE, LITS AT DR. HARRIS' ESTIMATE

A genuine sensation was sprung at the trial of Leo M. Frank Saturday morning when Luther Rosser and Reuben Arnold, attorneys for the defense, asked the State to consent to a new trial on the ground that Judge Roan had allowed the jury to catch a glimpse of a headline in the first extra of The Georgian.

Wilson Takes a Day Off; Golfs a Little

WASHINGTON, Aug. 2.—President Wilson today "chopped" all official business. He golfed in the morning with Dr. Fred Thompson, his physician, and in the afternoon with the bill game in the park.

Slade Urges Report On His Military Bills

Representative Slade, of Missouri, reviewed his demand Saturday that the House Committee on Military Affairs make a report on two important bills which he introduced to give the military supreme local power.

an examination of the lungs. He admitted the lungs were not examined. Attesting the testimony of Dr. Harris, who collapsed while testifying on the stand Friday, Arnold asked that Mary Phagan had come to her death within a half hour of the time she ate her noon meal was not the witness sort of a guess. Harris had based his conclusions on the fact that the cabbage he had found in her stomach had undergone only the slight change of the headline in the first extra of The Georgian.

Judge Roan had laid the paper on the stand in front of him, and according to the defense, the headline across the first page could be read by the man in the jury box.

Rosser asked the court: "Your honor, I have only displayed a newspaper when you came in just now. One side was turned up with the headline 'Mary Phagan' and 'Links to Chain.' Every member of the jury read it. I saw them leaning forward to see it."

The State Saturday continued to strengthen the web of circumstantial evidence in which it seeks to ensnare Frank by preparing to introduce additional testimony showing Mary Phagan arrived at the National Pencil Factory at 12:05 or before.

The defense's attack on all this testimony and reasoning was expected to be a brilliant and bold, and one which had made it impossible to determine how much weight testimony like Dr. Harris' surviving should be given. It is impossible to determine how much weight testimony like Dr. Harris' surviving should be given. It is impossible to determine how much weight testimony like Dr. Harris' surviving should be given.

CORONER'S PHYSICIAN DAMAGES HARRIS' EVIDENCE FOR STATE Dr. Hurt Says That Undigested Cabbage Does Not Prove Time of Death

EXPERT FOUND SKULL FRACTURE, SURE GIRL WAS STRANGLED TO DEATH

factory, was the first witness to be called when court resumed Saturday morning. The greatest crowd of the week besieged the courthouse...

Solicitor Dorey examined Miss Ferguson. Witness said she was an employee of the factory. Q. Were you at work at the factory Friday, April 25? A. Yes.

Q. Did you ever see Mary Phagan's money and was told that I could not get it? A. I talked to Mr. Frank. Q. Did you ever get the money before? A. Yes, but not from Mr. Frank.

Q. What conversation did you have with Mr. Frank? A. I asked him for the money. Q. Did you ever get the money before? A. Yes, but not from Mr. Frank.

Q. Did you ever see the money? A. Yes, but not from Mr. Frank. Q. Did you ever see the money? A. Yes, but not from Mr. Frank.

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BRILLIANT LEGAL WARRIORS WHO ARE BATTLING FOR FRANK



These two men are recognized as champions of the Atlanta bar.

LUTHER Z. ROSSIER.

REUBEN ARNOLD.

day of the crime, possibly added a weak link in the chain of circumstantial evidence that the state is relying on to convict Frank.

Q. Does it take from three to four hours to digest cabbage? A. Yes; three or four hours to thoroughly digest it.

Q. It depends a great deal on how well it was chewed, and how much saliva flowed down, doesn't it? A. Yes. Mastication helps digestion.

Q. Did you ever hear of persons being strangled? A. Yes, but not from Mr. Frank. Q. Did you ever see the money? A. Yes, but not from Mr. Frank.

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Calls Wife Out and Stabs Her in Heart

Ed J. Thomas, a negro about 25 years of age, declared his wife, Emma Thomas, was the man who shot Frank.

He shot and no trace of him has yet been found by the police. Thomas went home Friday night and found his wife lying in bed.

It remains, however, for the state to show explicitly just how the sensational statements made last Friday afternoon by the medical expert...

State Pays High Card. The Harris testimony was without doubt the highest card that the prosecution has played since the trial of Frank.

Grasshopper Pest a Blessing-Incognito. JEROME KANN, Aug. 2.—"Hiner Mather, a farmer, who lives near Berkeley, has an extensive irrigation plant."

Woman Trades Vote For Vagrant Snooze. CHICAGO, Aug. 2.—"God bless you, Judge," you'll get my vote.

Will 5 Ounces of Cabbage Help Convict Leo M. Frank?

Are five and a half ounces of cabbage to be the principal factor in sending a man to the gallows?

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Do you feel safe about the water you are drinking? Let us tell you about Cascade Spring Water.

It's a pure, soft, unadulterated, natural spring water. It's an absolutely safe water. There is positively no salt or chemical of any kind added to it.

Phone or write us. Cascade Spring Water Company. Atlanta Phone 5856-A. R. F. D. No. 1, Atlanta, Ga.

BABY'S AWFUL ECZEMA CURED. Face Just a Bare, Scatched Thill. Eczema! Eczema! Eczema! Almost Instantly, Soon Well.

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DR. J. D. HUGHES, 10 1/2 North Broad Street, Atlanta, Ga. KIDNEY, BLADDER AND URINARY TROUBLE, STRICTURE, VARICOCELE, HYDROCELE, NEUROVIBILITY, RUPTURE, ULCERS AND SKIN DISEASES.

Continued From Page 1. I should say she was fingered back forward. The scratches on her back as though she was dragged forward.

LUTHER ROSSER EXEMPLIFYING THE GENTLE ART OF CROSS-EXAMINING



Rosser smiling starting a battery of questions.

To the casual spectator who feels no personal interest in the outcome of the Frank trial, the one great feature of the courtroom is the cross-examining of the State's witnesses by Luther Z. Rosser. Rosser thunders, Rosser pleads, Rosser intimates, Rosser caresses, Rosser leads. At the left is shown Rosser holding his arms out as though to receive and clap in his breast the answer about to come to a difficult question he has put. At the right is Rosser grinning sarcastically. A witness for the State has just said that his memory was as fresh after two years as two days.

STATE HOPES DR. HARRIS FIXED FACT THAT FRANK HAD CHANCE TO KILL GIRL

By JAMES B. NEVIN.

The testimony of Dr. Roy Harris, chairman of the State Board of Health, and one of the most learned and approved physicians in Georgia, was dramatic, both in its substance and in the manner of its delivery Friday.

It was not calculated to help Leo Frank and it did not.

The exhibition of a portion of the contents of the dead girl's stomach for the purpose of approximating the time of her death, had breathless the packed courtroom—and the fainting of the physician during the progress of his testimony gave a final touch of melodrama to the trial that thrilled the audience as nothing else has thus far.

Dr. Harris impressed me, too, as believing in Frank's guilt—I do not know that he does believe that way. It merely appears that he seemed so to impress me.

And it is impressed that he is as impressed me, then the thing he testified may, if the remainder of the case against Frank holds together, prove eventually to be the defendant's undoing.

Shows He Had Chance.

To be sure, the State has not yet asked the crime definitely on Frank—but it has definitely shown, unless its witnesses be impeached, which is highly unlikely, that Leo Frank MIGHT have murdered Mary Phagan and that he DID have the opportunity to accomplish it.

Having shown that the OPPORTUNITY was there, and that the murder likely was committed during the time limits of that opportunity, the remaining elements of the case need but to be knitted properly together to make dark indeed the outlook for Frank.

Frank himself, Norman Stover, Mrs. White and Dr. Harris—two together form a chain: "Thus far apparently strong and dangerous."

That, from the standpoint of the defense, however, is the worst view to take of it.

It must be remembered that the defense as yet has introduced no witnesses. Such advantage as it so far has gained—and it has won many points—it has gained by wringing from the State's own witnesses matters of fact favorable to Frank.

When the defense comes to tell its story it may be confidently anticipated that additional weak points in the State's case may be discovered. The only question is, will they be found SUFFICIENTLY weak to cause the chain to fall apart?

Defense Seeks Weak Link.

A chain is, of course, only as strong as its weakest link. Will the defense be able to locate the State's weakest link? And having located it, will it, can it be strained to the point of giving way?

That is the perplexing and grim puzzle that Rosser and Arnold are

FRANK JUROR'S LIFE ONE GRAND, SWEET SONG--NOT

O. B. KEELER.

being thin as a premium, the juror probably is amazed when Mr. Rosser, vibrating with grief and indignation, protests against Detective Scott reading from some note he made while working directly on the case.

This course, as stated, but permits Mr. Scott to refresh his memory by means of the notes and then read the product of such refreshment the word of his own.

This is agreeable to Mr. Rosser and the court when Mr. Dorsey has further to refresh Mr. Scott's memory intimates at the top of the room that such a thing shall be accomplished in the form of Mr. Arnold's inhuman form. He has, however, that promptly affords the bottled juror some more evidence to ponder.

Mr. Dorsey insists it is his right to refresh the witness.

The witness demands to know if he is subjected to holding, and Mr. Dorsey declares he has been trapped by the witness, and Mr. Rosser appends the somewhat doubtful comment that Frank Hooper is a wise man.

Here Are Some Problems.

Now, add this to the problems of the troubled juror.

Has Mr. Dorsey been prejudiced? And in view of the foregoing, is it possible that the witness's testimony is not true? And if not true, would he include the following in his testimony? Should Mr. Dorsey be permitted to examine a witness without interview? Should Mr. Rosser be permitted to object?

If so, should Mr. Dorsey testify while Mr. Rosser is objecting?

Does Mr. Rosser consider while a good witness for indignation?

Would He Hide Evidence?

Would anybody think that Mr. Rosser would have anything to do with suppressing evidence, except in the regular and approved, objective method prescribed by law?

Mr. Scott's trained habit of mind is a willful man, very often, but it is not a willful man who would lie—but once in a while something of the kind is done.

Mr. Rosser and Mr. Arnold are equally positive that the witness is not competent to judge if Mr. Frank was nervous. Also the juror states that the bottled juror is utterly incapable of deciding if the witness is nervous.

Frank Hooper is a witness that the juror shall endeavor his delicate thinking that he has a right to have an expression on his face.

Witness: "He insisted on having some coffee."

Mr. Rosser: "I object to the use of the word 'insisted.' The witness said that the word 'insisted' and such has no place in the evidence. I ask that the word be ruled out."

Objections Fix the Fact.

And the court ordered it ruled out, always being the circumstance of the juror's mind. And then Mr. Dorsey asked for coffee twice at his house and once at the factory.

Several times during each day he speaks a smile of the juror's face and he is not connected with the case, who parks the bench and asks a pleasant "Well, how do you get on?"

But his mind is never off the burning issue, that the juror may so important a part in deciding.

Roan Holding Scales of Justice With Steady Hand

By L. F. WOODRUFF.

Emotions entire seemed daily run on the screen of faces watching the Frank trial.

A student of facial expression can find anything he seeks by watching the lines of spectators a half hour. A glance at one man may show it more of ease as bitter as gall. His neighbor in the next seat will probably be smiling in amused content as if he were witnessing the antics of his favorite comedienne.

Looking to the left he may see the eyes of a judge staring at him as if he were a stranger as a stranger on a crowded street. And another glance might show a spectator in stolid contemplation of the trial as if that of a philosopher endeavoring to fathom a new truth in human character.

Men have been mad, and shown it, during the progress of Atlanta's most famous criminal case. And men have shown that they were glad to be the point of jubilation at the very same instant.

Roan Utters Impassive.

But throughout the tedious hours and hours of the hearing, one man sits listening to every word. He is "extremely nervous." Just that the man's emotions are any more affected by the dramatic trial in which he is a commanding figure than those of a common man going through the daily routine of his prosaic grind.

That quality which gives the man a slight tinge, if he were a man to show that he felt, was away. He is a man who is calm and steady as a rock on one side and the other. He is a man who is calm and steady as a rock on one side and the other. He is a man who is calm and steady as a rock on one side and the other.

That the State has instigated this wonderfully well in so far as the substance of its details are concerned—and yet into this idea outside the thought that maybe here, again, the State has been cleverer than the defendant.

Now, I do not mean to say the State has succeeded in doing that, and I hardly see where these impressions would be warranted altogether in the minds of the jurymen, still I do not think that the State is doing anything—and it may be they are doing it, and that exact psychological effect!

And you never can tell.

The way of a serpent upon a rock, of an eagle in the air and of a man with a mad—the things have been said by the State. But the State is not done. There may be so many as four superlatively strange things, in the way of a juror with a defendant at bar!

Therefore, if Hooper and Dorsey have been seeking, through the clever

Rosser thundering, his face clouded by anger.

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DOUBLE DEAL REBELS TAKE CHARGE IN TAX BILL

Wohlwender Declares Sheppard Let Amendments Die After Agreeing to Them.

Efforts to obtain a reconsideration of the Sheppard substitute to the Simpson tax reform bill, which was passed by the House of Representatives by a vote of 107 to 89 after an all-day session Friday, will be made within two weeks, and probably before the bill is sent to the Senate.

Representative Michael McDaniel, who has been working with the county boards provided by the Sheppard bill, was defeated, served notice that he will make a motion to reconsider.

An amendment by Mr. Nunnally of Florida, which makes the State Comptroller General a sort of balance wheel between the taxpayer and the county boards, also is likely to get a new trial.

Woman Halts Plan To Change Street Name; Wins Delay

McDaniel street received a new name on this Friday afternoon when the Streets Committee of the General Council refused the protest of Miss Susie Wells, a property owner, who, single-handed, fought the resolution to change the name of the street to Oxford Terrace.

You can't improve the morals or change the color of the people by changing the name of the street, Mrs. Wells declared. She is a representative of Bob Blackburn, who charged that McDaniel street, in certain sections, was "disreputable."

Members of the Council committee, including those who had practically made up their minds to vote for the change, saw the point and voted to postpone action on the name. Alderman James W. Maddox, who introduced the bill, will aid Miss Wells in her new fight.

Committee Favors Board for W. and A.

The Senate Committee on the Western and Atlantic Railroad has reported favorably on Senator Sewall's resolution providing for the appointment of a commission to investigate the proposed extension or re-lease of the road. The resolution has been read the second time in the Senate and probably will come up for final action Monday.

The resolution provides for a commission of seven members—two Senators, three Representatives and two citizens to be appointed by the Governor. The commission will be organized immediately upon adjournment of the Legislature. The report of the commission will be filed at the next session.

Old English Borough Has 1,000th Birthday

LONDON, Aug. 2.—The borough of Tamworth, once a Saxon stronghold, is today celebrating its one thousandth birthday. The original settlement is believed to have been founded by Alfred the Great.

Just a thousand summers ago the head of her army to Tamworth, he captured the home of her ancestors, rebuilt the town and restored its rights.

Mrs. Elkins Sponsor For a 'Julep Party'

WASHINGTON, Aug. 2.—According to advice from Elkins, W. Va., Mrs. Elkins, sister-in-law of President Elkins, has introduced a new entertainment known as a "julep party."

Mrs. Elkins is a beautiful young woman and highly popular with the dramatic set, where it is expected that her new julep party will win favor.

Envoy Wilson Robbed Of Valued Documents

NEW YORK, Aug. 2.—Detectives today are closing in on a kidnapper who stole a wallet of official papers from the American Embassy in Mexico. The State Ambassador to Mexico, at the Washington Station here yesterday, had a substitute come to New York with the stolen documents.

The kidnapper obtained \$100 in money besides the papers.

BRILLIANT LEGAL WARRIORS WHO ARE BATTLING FOR FRANK



LUTHER Z. ROSSER. REUBEN ARNOLD.

Drink Buttermilk, Not Wine, in Clubs, Judge Urges Women

Buttermilk as a social beverage for women, who visit Atlanta's loquacious club is advocated by Recorder Nash Boyles.

The Recorder, especially recommending buttermilk to Miss M. B. Brown, a young woman giving her address at 1144 West Baker street, who is occupying a bookshop, when she was arrested Friday afternoon for drunkenness. She said she had been drinking wine and liquor.

"You should have called for buttermilk instead of wine and liquor," said the Recorder, "if buttermilk were kept on tap in all of these loquacious clubs to be served to women instead of strong drink, women would be better off."

Bees to Knock Kinks Out of Shank's Limbs

INDIANAPOLIS, Aug. 2.—Mayor Lewis Shank, who has been suffering from pneumonia for several weeks, will try the stings of honey bees as a cure. Forty-five stings are expected to give him permanent relief.

Frank Johnson, who has a bee farm near the city, guaranteed to deliver a perfect cure, with no charge for the bees.

The treatment will be made at Johnson's farm, where 45 bees will be let loose in a closed room with the Mayor. Only his face and hands will be protected.

Bryan Queried About Treatment of Jews

WASHINGTON, Aug. 2.—Senator Penrose has introduced a resolution calling for a report from the Secretary of State in regard to the treatment of Jews in Roumania.

The resolution was based upon reports that Roumania has violated the treaty of Berlin, whereby she agreed not to make religion a test of citizenship.

Print of Washington Family Brings \$200

LONDON, Aug. 2.—On the third day of the sale of engravings at Sotheby's, \$250 was realized; \$200 in all.

The portrait of George Washington, which was sold for \$200, was a rare engraving by H. J. of George Washington and his family.

THE WEATHER Forecast for Atlanta and Georgia—Occasional showers Saturday and Sunday.

Offers Pearl Riches To Garrison; Arrested

SAN FRANCISCO, Aug. 2.—Frank Huntington, a pearl fisher, enlivened Secretary of War Garrison's visit here by offering to make him very rich. Huntington was locked up.

The fisher, smoking a strong pipe, strolled into the Secretary's hotel and asked to see him. To a detective, who impersonated Mr. Garrison, he said he had a pearl fishery which would net both of them incredible wealth if a concession could be obtained.

What Does John D. Care for Expenses? Lets Rain Hit Hat

CLEVELAND, Aug. 2.—John D. Rockefeller secured the umbrella which was held over him when he left the 20th Street Baptist Church and allowed a fine drizzle to patter down on his straw hat while waiting for friends to get into his big touring car.

The Rev. Dr. Carter Helm Jones of Louisville, Ky., who preached on "Money and the Kingdom of God," told the congregation that in the Christian life they were rich indeed, but that earthly riches do not amount to much, saying, "Mother proceed on the work of the world, congratulated the minister after the sermon."

Grasshopper Pest a Blessing—Incognito

JETMORE, KANS., Aug. 2.—Ehmer Mather, a farmer, who lives near Jetmore, has an extensive irrigation plant.

He put in sixteen acres of beats, which were doing fine, when they were attacked by the grasshopper plague. Mr. Mather proved a trap out of the ground, providing a trap out of the ground, which he had crisscrossed with a net of wire, and caught 110 bushels of hoppers, the greater part of which he has dried, packed and sent away for chicken feed for winter use.

J. Ham Lewis Calls For 'Fathers' Day'

WASHINGTON, Aug. 2.—Senator J. Ham Lewis, of Illinois, has come to the conclusion that the "Old Man" of the family has not received proper recognition from a grateful country. He announced today his intention to introduce a bill setting aside July 19 as "Fathers' Day." Already there is a "Mother's Day" and a "Children's Day."

"The Old Man," said the Senator, "lays all the bills. On cold winter mornings he goes up to light the fire, and in summer he works like a horse in mowing the lawn. He is not a man of many words. He deserves recognition. I want to link in the chain of domestic duty."

Count Arrested for Theft of Paintings

ROME, Aug. 2.—Count Alexander Grifi, belonging to the prominent Italian family, was arrested yesterday in connection with the theft of 1,000 paintings worth \$1,000,000 from the church of the Massimo.

It is believed that the Count was the boy's antiquarian who tried to sell the paintings, but was discovered by Miss Wilson on the subject, and she approved my choice of a career."

Woman Trades Note For Vagrant Snoot

CHICAGO, Aug. 2.—"God bless you, Judge. You'll get my vote."

This was the speech of Mary Mackey to the judge of the court after she had discharged her. Mary was found asleep in a vacant lot, and she could not explain to a policeman.

DEFENSE OF FRANK HOT ASSAULT ON HARRIS' EVIDENCE OF STATE

The State Saturday continued to strengthen the web of circumstantial evidence in which it seeks to enmesh Leo M. Frank by preparing to introduce additional testimony showing Mary Phagan arrived at the National Pencil Factory at 12:05 or before.

The way had virtually been cleared for Jim Conley, the negro sweeper, to be put on the stand, but according to Solicitor Dorney the negro will very likely be held over until next week.

As the case stood Saturday morning, these are the strong links in the State's case:

Mary Phagan left her home at 11:45, according to her mother, after being asked to go to the factory.

The girl arrived at the factory between 12:05 and 12:15, according to the coroner's jury.

Monvyn Glover looked into Frank's office between 12:05 and 12:10, and says he was not there.

Dr. H. P. Harris, Secretary of the State Board of Health, testifies that the condition of the cabbage taken from the girl's stomach shows conclusively that she died within about half an hour after it was eaten. This would make the time of death about 12:10—15 minutes before or after.

Clara Page is eliminated.

Mrs. Arthur White testifies that when she left the factory at about 12:15, she saw a man sitting on a box on the first floor. This, according to the State, eliminated the negro, presumably Conley, according to its expert evidence, the girl must have killed some one.

The defense's attack on all this testimony and reasoning was expected to be made and Dorney, and until it has been made it is impossible to determine how much weight testimony will be given. It is now his opinion that Lee could have seen the body all right.

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LUTHER ROSSER EXEMPLIFYING THE GENTLE ART OF CROSS-EXAMINING



Rosser gently starting a battery of questions.

To the casual spectator who feels no personal interest in the outcome of the Frank trial, the one great feature of the courtroom is the cross-examination of the state's witnesses by Luther Z. Rosser. Rosser roars, Rosser whispers, Rosser thunders, Rosser pleads, Rosser intimates, Rosser exploits, Rosser jokes.

At the left is shown Rosser holding his arms out as though to receive and clap to his breast the answer about to a difficult question he has put. At the right is Rosser grinning sarcastically. A witness for the state has just said that his memory was as fresh after two years as two days.

STATE FORGES NEW LINK IN CHAIN AGAINST FRANK

Continued From Page 1.

usual for scratch pads like the one found in the basement near Mary Phagan's body to be discovered in any part of the factory. He said the name of the pay envelopes like the one found by Mary Phagan's machine. He asserted that the envelopes were scattered on every floor of the factory every pay day. A ripple of merriment was caused when Attorney Arnold, referring to R. P. Barrett and his discoveries of pay envelopes, blood spots and strands of hair, designated

him as "Christopher Columbus Barrett." After a sharp fight between the attorneys, Attorney Arnold and Rosser succeeded in getting before the jury that other persons as well as Leo Frank were excited and nervous after Leo's testimony. Judge Rouben was inclined at first to sustain the prosecution's contention that the defendant admitted in order that the defense witnesses need not be taken as indications of guilt.

Will 5 Ounces of Cabbage Help Convict Leo M. Frank?

Are five and a half ounces of cabbage to be the principal factor in sending a man to the electric chair? If the prosecution is warranted in its belief in the vital and incriminating importance of the testimony of Dr. H. F. Harris, director of the State Board of Health, this is exactly the outcome to be expected in the trial of Leo M. Frank, charged with the murder of little Mary Phagan.

The cabbage taken from the stomach of Mary Phagan still showed the texture of the vegetable's leaves. The digestive fluids seemed to have acted acutely at all. The presumption was, therefore, said Dr. Harris, that the little girl had met her death within half an hour after she had eaten the simple meal at her home in Woodford and had left for the pencil factory. At the most, that was three-quarters of an hour.

Dr. Harris gave his testimony with a professional assurance, the effect of which can be contrasted only with the uttermost skill of Luther Rosser and Rouben Arnold. He was positive that the girl was killed within a half or three-quarters of an hour after she had eaten.

This meant that she was attacked and murdered between 12:05, which is about the time the State believes she entered the factory, and 12:20. It was at 12:05 that Minton discovered she had entered and found Frank absent from his office.

The courtroom was hushed as Dr. Harris described the wounds of the girl in a manner that vividly portrayed the State's theory of how the girl met her death.

She was attacked near the lathing machine. There was a struggle. Her assailant, infuriated at her resistance or fearful of the approach of persons, struck her fiercely over the head. Dr. Harris described the right eye, which must have been made with the fat, he said, or with some soft instrument, as there were few signs of abrasion of the skin, only a swelling and discoloration.

He foisted the girl to the floor. She struck her head against some hard substance, Dr. Harris indicated this by testifying that the skin above the wound on the back of the head had been shoved upward slightly.

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Dr. Harris analyzed the contents of the murdered girl's stomach. He found there 16 cub centimeters, or about five and two-fifths ounces, of cabbage and cauliflower. This was the most Mrs. J. W. Coleman, Mary's mother, testified that her daughter had eaten just before she left home on the day of the tragedy.

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\$400,000,000 in Autos Are Exported in Year

WASHINGTON, Aug. 2.—According to figures compiled by the Bureau of Foreign and Domestic Commerce, Department of Commerce, 140,000,000 worth of automobiles and parts thereof were sent out of continental United States in the fiscal year 1913, against 110,000,000 worth in 1912. These figures of 1913 include \$24,000,000 worth of finished automobiles sent to foreign countries.

CABLE NEWS

Important Events From All Over the Old World Told in a Few Short Lines.

MADRID, Aug. 2.—The Provincial Government of Spain have been given strict orders to forbid gambling in casinos and clubs at watering places.

Aviator Quells Fire 4,000 Feet in the Air

CHICAGO, Aug. 2.—"I thought I was a goner," said W. C. Robinson, an aviator, as he related his feelings while he was fighting a fire that threatened to destroy his aeroplane 4,000 feet above Chicago's business district.

EVERGLADES BEING DRAINED RAPIDLY

Lands Formerly Valueless Now Worth Large Sum, Says W. E. Hall, Atlanta Geologist.

Vital interest throughout the United States is being taken in the drainage of the Florida Everglades. Warren E. Hall, district engineer of the Geological Survey stationed in Atlanta, whose territory embraces the southeastern portion of the United States, made a two weeks survey of the heart of the great swamp in company with M. O. Leighton, E. T. Perkins and Hahn Handolph, members of the Florida Everglades Commission.

Help Mother-in-Law! Judge Answers Call

OMAHA, NEBR., Aug. 2.—Lester J. King, a wealthy business man here, secured an injunction enjoining his mother-in-law, Mrs. Lavi Gardner, of Harvard, Ill., to keep out of his home.

Put Poison in Food; Sent to Reformatory

GREENSBORO, Aug. 2.—Lucy Lindy Park, a negro convicted of a simple assault on an indictment charging assault with intent to murder for placing strychnine in food prepared for the family of B. P. Kimbrough, a prominent layman and farmer residing near Greensboro, was sentenced indefinitely by Judge James B. Park to the State Reformatory at Middleburg.

Express Profits Out \$750,000 by State

SAN FRANCISCO, Aug. 2.—The Wells-Fargo Express Company today faced a cut of \$750,000 in its yearly profits as the result of a ruling of the California Railroad Commission abolishing the present rates and providing more than 3,000,000 new rates.

OBITUARY

The body of Joseph Thomas Campbell, who died at the residence of his son, Mr. J. H. Campbell, 215 North Third street, at 11 o'clock yesterday morning, was buried in the cemetery of the city of Atlanta, Ga., at 1 o'clock today.

Bailed Out, All Right, But by Stomach Pump

CHICAGO, Aug. 2.—There was no cause for Max Rubin, still to be bailed out in the usual way. Still he was not to be bailed out, even if his next summer resort had to be the county hospital.

JUDGE ATTACKS DUAL MORAL STANDARD

Frees Deserted Mother of Cool Operator's Two Children After She Shot at Him.

PITTSBURGH, Aug. 2.—"Women sin morally, unthinkingly, men often sin calculatingly, knowing they can escape penalties," said Police Magistrate Donald Waters in discharging a woman who had twice as many children as she had a right to have, after she had lived with him eleven years.

WOMAN FINDS BIG SURPRISE IN A WANT AD

Expects to Pay for Hauling Away Shrubs and Gets Five Dollars for It Instead.

"No, there isn't a thing I want that a want ad would bring me," said a North Side woman to a Georgian with her on her front veranda. "Unless I could get rid of that ugly shrub in the front yard. It casts my view of life like 10 pay a man to take it up and haul it away."

TO-DAY'S MARKET OPENING

NEW YORK COTTON.

Table with columns for market opening, high, low, and other financial data.

NEW ORLEANS COTTON.

Table with columns for market opening, high, low, and other financial data.

NEW YORK STOCK MARKET.

Table with columns for stock market opening, high, low, and other financial data.

STATE HOPES DR. HARRIS FIXED FACT THAT FRANK HAD CHANGE TO THE GIRL

By JAMES B. NEVIN.

The testimony of Dr. Roy Harris, chairman of the State Board of Health, and one of the most respected and approved physicians in Georgia, was dramatic, both in its substance and in the manner of its delivery Friday.

It was not calculated to help Leo Frank—and it did not. The exhibition of a portion of the contents of the dead girl's stomach, for the purpose of showing the time of her death, held breathless the packed courtroom—and the fainting of the physician—and the fainting of the jurymen—and the fainting of the audience as nothing else has thus far.

Dr. Harris impressed me, too, as believing in Frank's guilt—I do not know that he does believe that way, it merely happens that he seemed so to impress me.

And if he impressed that jury as he impressed me, then the jury as he testified may, if the remainder of the case against Frank holds together, prove eventually to be the defendant's undoing.

Shows He Had Chance. To be sure, the State has not yet fixed the crime definitely on Frank—but it has definitely shown, unless his witnesses be impeached, which is highly unlikely, that Leo Frank killed Mary Phagan, and that he did have the opportunity to accomplish it.

Having shown that the OPPORTUNITY was there, and that the murder likely was committed during the time limits of that opportunity, the remaining elements of the case need to be knitted together to make lack indeed the pointer to Frank.

Frank himself, Monteen Slover, Mrs. White and Dr. Harris—together form a chain that is, apparently strong and dangerous. That, from the standpoint of the defense, however, is the worst view to take of it.

It must be remembered that the State as yet has introduced no witnesses. Such advantage as it so far has gained—and it has won many points—has been gained by testimony from the State's own witnesses, matters of fact favorable to Frank. When the defense comes to tell its story, it may be confidently anticipated that additional weak points in the State's case may be discovered.

FOREMAN OF FACTORY AN IMPORTANT WITNESS



N. V. Darley, presented by the State, proved to be one of the most important witnesses in the trial of Frank.

Roan Holding Scales of Justice With Steady Hand

By L. F. WOODRUFF.

Emotion's entire gamut is daily run on the screen of faces watching the Frank trial. A student of facial expression and anything he seeks by watching the throng of spectators a half hour. A glance at one man may show a mere face as bitter as gall. His neighbor in the next seat will probably be smiling in amused contempt as he witnesses the antics of his favorite comedian.

Looking to the left he may see a face as vividly depicted on a countenance as a tragedian's face in a play. And another glance might show a spectator in studious contemplation as if that of a philosopher endeavoring to fathom a new truth in human character.

But Roan Utterly Impassive. He has been dead, and shown it, during the progress of Atlanta's most famous criminal case. And now he has yet to display the fact that he is a commanding figure, that those of a business man going through the daily routine of his present firm.

That quality shows why the man sitting there, as he was the man who, as the judge, was every day as the tide or battle turned first for one side and then the other, he would not be qualified for the emcee position he holds. Judge J. S. Roan is performing the duties of presiding justice in the Frank case because the people of Fulton County recognized that he is the man of the county's 250,000 best endowed by nature to perform this duty.

FRANK JUDGES HIS OWN GOOD, SWEET SONG—BUT FOR THE SUBTLE LINGER

O. B. KEELER.

The juror's life is not unmix with care. Look him over next time you attend the Frank trial. Rise up his little job. Weigh his responsibility. Consider his problems.

And then, if seeking employment, go out and sign a contract to make little mess out of big ones. It's a more satisfactory way of earning \$1 a day.

The juror's business is to collect evidence by the careful sift the same, separate the true from the false, and make it into a verdict as between the State of Georgia and Leo Frank.

How the Juror is Seated. So he is as judiciously placed on the bench. Mr. Dorsey (for example) has a witness whom he is asking to show that Leo Frank was nervous the morning he was apprised of the tragedy.

Mr. Dorsey is asking to show that Leo Frank was nervous the morning he was apprised of the tragedy. Mr. Dorsey and Mr. Arnold are equally positive that the witness is not competent to judge if Mr. Frank was nervous. Also they are equally sure that the bottle-fed juror is utterly incapable of deciding if the witness is competent to decide if Mr. Frank was nervous.

Objections Fit the Fast. And the court orders it ruled out thereby fixing the circumstance firmly in the mind of the juror. And then Mr. Dorsey asks the jury around and gets the witness to state that Frank asked for coffee twice at his house and once at the factory.

But it seems that the juror is to be shielded from any breath of anything not bearing strictly on the guilt or innocence of the accused. Specific and accurate information being sent at a premium, the juror is asked whether Mr. Dorsey, vibrating with grief and indignation, protest against Detective Scott reading the letter to Frank insisted on his working directly on the case.

The juror's life is not unmix with care. Look him over next time you attend the Frank trial. Rise up his little job. Weigh his responsibility. Consider his problems.

Whole Day of Adventure —AND— Reams of Romance

That's what you can get delivered right at your front door, for your hours of Sabbath enjoyment. For

NEXT Sunday's American

In addition to the dozens of regular features which have made it Dixie's best read newspaper will include the

Free Fiction Magazine

This wonderful periodical teems with the good things of summer reading and carries, as well, the continuation of

JACK LONDON'S Great Story "THE SCARLET PLAGUE"

which already has a grip on those who have started it. And all this is free with this issue of The Sunday American, which in itself surpasses all that has gone before.

There's a Thrilling Color Page ENTITLED WHEN WOMEN GO TO WAR

Lady Duff Gordon

the famous Lucille of London, has an article in which she tells how Paris solves the problem of keeping cool in gowns of chiffon trimmed with fur. Moreover there are many other queer tales from the earth's four corners which no one who can read can afford to miss. So insure your self a pleasant day by ordering your

SUNDAY AMERICAN NOW

From Your Dealer or By Phoning to MAIN 100

PAY ME FOR CURES ONLY

If you have been having trouble with your kidneys, bladder and urinary organs, you should know that you are not alone. Millions of people are suffering from these ailments, and they are all suffering from the same cause. The cause is a condition of the kidneys, bladder and urinary organs, which is known as "KIDNEY, BLADDER AND URINARY TROUBLE, STRICTURE, VARICOCELE, HYDROCELE, NERVOUS DEBILITY, RUPTURE, ULCERS AND SHIN DISORDERS, CONTACTS AND POLIOMYELITIS."

DR. J. D. HUGHES, Opposite Third National Bank, 150 Peach Street, Atlanta, Ga.

LOWRY NATIONAL BANK

Capital \$1,000,000
Surplus \$1,000,000

Savings Department Safe Deposit Boxes

BALTIMORE, MD
\$20.85 Round Trip \$20.85
Tickets on sale August 1, 2 and 3. Return Limit August 15. Through electric lighted steel sleeping cars. Dining cars on most convenient schedules.

SOUTHERN RAILWAY.

STORY BLOW TO DEFENSE

Lawyers Wrangle Over Frank's Nervousness

STOCK FRAUD CHARGED IN ARRESTS

Florida Officers Catch Two Men Wanted in Georgia Accused of Fake Sales.

ARCADIA, Fla., Aug. 1.—Sheriff J. L. Diabone has arrested G. W. Bishop and D. E. Moorefield and a third person on a telegram from Atlanta telling him to hold these men for Gretna County, Georgia, authorities.

The men, it is alleged, were doing business under assumed names. Bishop, alias G. Baker; D. E. Moorefield, alias M. D. Dorsey; alias "B. D. Dimes"; and G. Moorefield, alias E. Moore. The latter escaped. It is said they claimed to be organizing a stock company to manufacture soft drinks; the plant to be erected in Tampa. The promoters, it is alleged, cashed about \$2,000 in notes received for stock at Arcadia. They had \$1,125 on them when arrested. Mrs. Bishop and two children were with the party.

Moorefield and Bishop indicted.

Fire Destroys Trade Center of a Village

CHATTANOOGA, Aug. 1.—As the result of fire which broke out just before 5 o'clock last night in the center of Valley Head, Ala., today the village of 1,000 people is a pile of ruins. Practically every building in the business district is in ashes.

Youths To Be Tried On Slaying Charge

DOTHAN, Aug. 1.—James Robinson who was implicated in the murder of James Lloyd, a 16-year-old boy, in this county in March, has been indicted on a charge of carrying concealed weapons. Robinson is to be tried in September for the murder of Lloyd.

Woman Is Named to Supervise 'Spooning'

ABURY PARK, N. J., Aug. 1.—Mayor R. S. Bennett has appointed Mrs. Nanette, a social worker of Baltimore, as a special boxwalk policeman. She will watch the "spooners" and "spoonees" and act as a censor of the balling company.

Slaying of Rooney Another Chapter in Feud of Gamblers

BIRMINGHAM, Aug. 1.—Ed Mills, who late last night shot and killed Pat Rooney, of Montgomery, when the two met in the bars of the city was today transferred to the Jefferson County jail. He still contends that while he was sorry for the killing, he could not help it, self-defense being claimed. W. B. Rooney, brother of the slain man, declared the killing was a chapter in a feud among gamblers and that Mills had envy and malice for Rooney.

SENATE CUTS BUDGET TO MEET TAX

Appropriations Committee Shakes \$280,325 From House Measure After Anderson's Plea.

Bank Cashier Faints in Court Over \$400

GADSDEN, Aug. 1.—A judgment in the sum of \$400 has been awarded in the Circuit Court of Cherokee County, Alabama, at Center, in the case of the J. A. Arnold Cotton Company against the Bank of Merico, Ga. To \$400 that amount which had been lost by the bank, testified he had been ordered to deliver \$400 to a cotton buyer for the company. He claimed to have given the money to a farmer named Drake, employed on the farm near Center, Alabama and Georgia Railroad. The farmer denied receiving the money. In giving his testimony, Chambers fainted and created a panic in the crowded courtroom. A score of witnesses testified that the farmer is a man of irreproachable character.

President to Receive Mobile Business Men

MOBILE, Aug. 1.—A telegram received by General Director Irvine from Senator Duncan U. Fletcher, president of the Southern Commercial Congress, announced that President Woodrow Wilson would on Wednesday, August 5, receive a delegation of Mobile citizens headed by a personal invitation to attend the sessions of the congress in this city in October.

Acquies Husband, In Jail, of Frauds

ANNISTON, Ala., 1.—Mrs. W. C. Bites, chief witness against her husband, who is in jail in Oklawaha, under a charge of getting money under false pretenses and using mail to defraud, has come here for a consultation with the trial jury.

Parents Steal Bride From Young Eloper

MOBILE, Aug. 1.—Elsie Brantley, of Atmore, Ala., is reported to have eloped with Miss Ethel Cornell, daughter of an Atmore mill superintendent, and married her at Cause, Ala., Thursday. On returning to Atmore last night the young bride, it is said, went to break the news to her parents, who promptly locked her up in her bedroom and refused to let her communicate with her husband. The young man is being held in jail in Mobile.

Moose Officers To Be Called in Probe Of Fatal Initiation

BIRMINGHAM, Aug. 1.—When the probe into the death of Christopher Quinn and Donald Kenny, the two men killed during initiation into the local lodge of the Loyal Order of Moose last week, is resumed next Tuesday it is proposed to place on the stand officers of the lodge to ascertain what they know of the work put on that night.

MRS. FRANK SMILING AS SHE LEAVES COURT

Here are the important developments of Friday in the trial of Leo M. Frank.

Mrs. Arthur White, wife of one of the employees of the pencil factory, testifies that when she came upon Frank suddenly in his office at 12:30 the day of the crime, he jumped.

M. V. Darby, manufacturing foreman of the factory, testifies that on the afternoon of the tragic day, Frank did three hours of intricate mathematical work, but also declares that Sunday and Monday he was extremely nervous.

Judge Roan rules that evidence can not be introduced to show the nervousness of others when the body was found, but later changes his decision.

Follesman Anderson testifies that Lee could have seen the box from where he stood in the basement, and he confronted with his testimony to the contrary at the coroner's inquest.

Dr. H. Harris, secretary of the State Board of Health, testifies food in stomach shows she was killed within half or three-quarters of an hour after it was eaten. He also testifies to evidence of a criminal attack. Dr. Harris collapses and is excused from cross-examination.

Albert McKnight, husband of the cook in the Frank home, testifies he did not see Frank eat anything for lunch on the day of the crime. On cross-examination he says he noticed Frank through a mirror.

Solicitor Dorsey sprang Friday afternoon his most important witness since the trial of Leo M. Frank began in the person of Dr. H. P. Harris, Director and Secretary of the State Board of Health. Dr. Harris was the expert engaged by the Solicitor to make an analysis of the contents of the Phagan girl's stomach and an examination of her body and organs.

Here is the State's theory of Mary Phagan's murder as first presented in the sensational testimony of Dr. Harris:

Mary Phagan was attacked and killed not more than three-quarters, or possibly half an hour, after she ate her meal at her home in Bellwood.

Mary Phagan's assistant struck her first in the right eye with his first or with some soft instrument, that left a little bruise on her skin. She was fallen to the floor by the blow.

This blow on the skull was not sufficient to cause her death, but undoubtedly caused a temporary unconsciousness. Death came from strangulation which the girl sustained for a period bound about the girl's neck.

When Susan Atkins said she wanted to find out whether the defense intended to introduce evidence, it had been removed around the courthouse that the defense might see its case at the completion of the submission of evidence by the State. Mr. Arnold's statement is taken to mean that Leo Frank himself will be placed on the stand.

Georgian Arrested In Alabama, Freed

HUNTSVILLE, Ala., Aug. 1.—R. C. Ryke, of Colbert, Ga., was arrested here by Chief of Police Kirby on a charge of larceny, but after other persons interested in the case had been consulted, the matter was adjourned satisfactorily and the case was withdrawn.

Negro 'Peeping Tom' Threatened by Mob

GADSDEN, Ala., Aug. 1.—To save him from a mob the police of Atalla at 2 o'clock this morning brought into the city a negro, "Peeping Tom," to Gadsden and delivered him to the county authorities.

Heat Kills 901 Babies In Chicago in Month

CHICAGO, Aug. 1.—The heat wave that gripped Chicago for three days was broken today by a strong breeze off Lake Michigan. Figures made public today by the Health Department showed that heat had contributed to the death of 901 babies in Chicago between June 1 and July 15. During the same period last year 169 deaths occurred among children under two years.

Do You Know?

The largest residence in the world. See Page 15.

Seizes 100 Gallons Of Whisky on Boat

GADSDEN, Ala., 1.—Sheriff Sparks of Marengo County, Alabama, has seized 100 gallons of whisky and eight barrels of beer being transported on the steamer John Ross, and is holding it under the prohibition law of Alabama. The liquor was consigned to Decatur, Ala. to be delivered there after a court injunction restraining railroads and steamboats from delivering liquor to alleged blind liquor operators had been issued.

Preacher to Run for Alabama Senate Seat

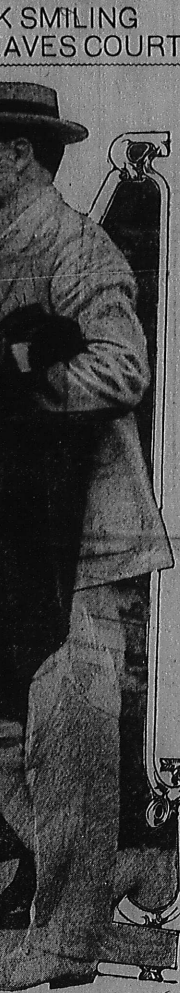
COLUMBUS, Aug. 1.—Considerable interest is being shown throughout East Alabama by the announcement of the probable entry of the Rev. W. J. Price, of Phenix City, for Senator from the Eleventh Alabama District; a prominent banker, being the cashier of the Phenix City National Bank.

Needle and Thread Caused Pain in Knee

BUPAULA, Aug. 1.—After suffering several weeks with a severe pain about the knee, Mrs. C. M. Thompson had it lanced today and a thread needle was taken out by the surgeon.

DIES ON STREET CAR

MOBILE, Aug. 1.—In a flash of lightning from the sky, Alfred Gronbeck, an architect, recently arrived here from Buffalo, N. Y., died on a street car from heart disease. He had relatives in Buffalo.



EXPERT'S DENIAL ADDS STRONG LINK TO CASE AGAINST FRANK

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Dr. H. P. Harris, chief of counsel for Frank, declared Friday that the ruling of Judge Roan as to the admissibility of the evidence that persons other than Frank were nervous and excited the Sunday morning after the crime might vitiate the entire trial.

He intimated strongly after Judge Roan refused to change his ruling that a new trial would be asked as a writ of error in the event of Frank's conviction.

CONLEY, WEEPER, LIKELY TO BE LAST WITNESS FOR STATE
Frank Startled When Woman Came Upon Him Suddenly in His Office

BARRING OF TESTIMONY ON
BUSINESS OF FACTORY
EMPLOYEES HIT BY ROSSER

Continued From Page 1.

made the same error that Frank did, believing at the time that the punches had been made correctly. The tape was shown to the jury to prove how the mistake might have been made.

Judge Ross ruled out testimony as to the conduct and appearance of other persons than Frank at the factory Sunday morning.

The defense played one of its strongest cards in behalf of Mr. Frank when it secured from Darty, manufacturing head of the plant and State's witness, evidence that the prisoner performed hours of the most intricate mathematical work just after the time the prosecution claims Mary Phagan was slain.

This, the defense brought out, negates the alibi testimony of Darty as to Frank's nervous and upset condition on the two days following the murder of Mary Phagan.

The statements of Darty came as a complete surprise. The nature of the testimony had been carefully guarded by the Solicitor.

Darty declared that he and Frank arrived at the factory at about 11:30 a. m. Sunday morning, April 17, and that he first noticed Frank's nervousness when he saw the factory superintendent's hand tremble violently when he grasped the elevator rope to run the elevator down into the basement.

"When we got down to the basement," continued Darty, "and Frank started to nail up the back door, I saw that his hands were trembling and he took the hammer and nailed up the door myself because I thought it better than he could do it."

Darty also told that when he rode with Frank to the police station Monday, Frank sat on his knees.

"I could not protest that his whole body was trembling and shaking," said Darty. "I noticed it all of the way to the station house."

Club Not Found in Clean-Up.

Solicitor Darty asked Darty to make a clean-up of the factory on the first and second floors on or before May 3.

Darty then called for the bloody cloth that was said to have been found on the first floor May 15 near where Jim Conley was sitting. Darty said it down with a clatter by the chair of the witness.

"Was any club of this sort turned up during the cleaning process?" asked Darty.

"No," the witness replied.

"Did you not find a thorough cleaning?" the Solicitor asked.

"It was a general cleaning," replied Darty.

Frank Explains Nervousness.

Darty said that Frank later explained his nervousness of Sunday by saying that he had not had any breakfast and that he had just looked upon the body of the dead girl at the morgue. The witness added that Frank did not appear completely upset Monday, as he was able to transact a number of business affairs.

Darty, in spite of his testimony, which will be interpreted by the State as incriminating against Frank, probably was as valuable a witness for the defense as he was for the prosecution. It was under the skillful questioning of Attorney Heenan Arnold, who had begun to take a more active part in the cross-examination than he had at first, that Darty told of the intricate work that Frank did on the afternoon of April 14 after the State claims that Frank murdered the Phagan girl.

Mr. Arthur White, wife of one of the employees of the National Pencil Factory, who declared the saw a negro hiding behind some boxes on the first floor of the plant on the day Mary Phagan was killed, was the first witness called Friday.

The State with her testimony began to pay the way for the appearance of Conley, who, it is believed, would be the last witness to be called by Solicitor Darty, as he would be the most essential.

The first witness said her husband had been working at the National Pencil plant for two years.

Talk of Going to Factory.

Q. What is your husband's name?—A. John Arthur White.

Q. Where does he work?—A. At the National Pencil Factory. He has worked there about two years.

Q. Where was he April 14?—A. At the factory.

Q. Did you go to the pencil factory that day?—A. Yes, about 11 o'clock.

Q. Did you see Frank?—A. Yes, he was in his outside office.

Q. What did you say to him?—A. I called to answer his name. I saw Darty, assistant superintendent at

the National Pencil Factory, was called.

Darty on Stand.

Q. What is your business?—A. Assistant superintendent at the National Pencil Factory. I have charge of the manufacturing plant.

Q. Who is your superior?—A. I considered Mr. Conley.

Q. You and Frank worked together, didn't you?—A. Yes.

Q. Were you at the factory Saturday, April 14?—A. Yes.

Q. What time did you leave?—A. About 11 o'clock.

Q. When were you there again?—A. Sunday morning about 11:30 or 12 o'clock.

Q. Why did you go there?—A. Mrs.

may?—A. I don't remember. He said something about having on a new suit of clothes, or something.

Q. Did he say anything about not having breakfast?—A. He said he hadn't had his breakfast and wanted a cup of coffee.

Q. Did he say anything about being nervous?—A. Yes, he said they took him by the hand and led him into a dark room, where they turned on the light suddenly and he saw the girl.

Q. He said it made him nervous.

Q. Were you there when Newt Lee was shot?—A. Yes.

Q. Was Lee nervous?—A. No; he was composed.

Q. Did Frank say anything about the murder?—A. He was under the impression the murder occurred in the basement.

Q. Did he say anything about the location of the murder?—A. Yes, he said it looked like it was mitchy easily

STATE'S WITNESSES
SKETCHED AT TRIAL



me if I was his wife. He said he thought so, as I looked like the Campbell.

Q. Did you see your husband?—A. Yes; he sent for him.

Q. Did you go upstairs at 11:30 a. m.?—A. No.

Q. What time did you leave?—A. About ten minutes to 11.

Q. Whom did you see?—A. I saw Mr. Frank standing at the safe in his office.

Q. What happened then?—A. I asked him if I could see Mr. White. As I spoke to him he jumped.

Q. What did you do then?—A. I went upstairs to see Mr. White.

Q. Did you see anybody else in the office except Deaham, White and Mr. Frank?—A. No, sir.

Q. Did you see anyone else as you came out?—A. I saw a negro.

Q. Where?—A. He was sitting on a box near the stairway that leads up to the second floor.

Q. Where did you see Frank the last time?—A. In his outside office.

Q. Where was your husband and Deaham at work?—A. In the fourth floor.

Said She Had Better Go.

Q. What were they doing?—A. Working on a machine with a hammer.

Q. When did you first hear the hammer?—A. When I got on the fourth floor.

Q. Did you see Frank again before you left?—A. He came up on the fourth floor.

Q. Did anybody say anything about your going up to the fourth floor?—A. Yes; Frank told me to go up there.

Q. What time did you get out before 1 o'clock?—A. Some time after 1 o'clock.

Q. Where were you at 1 o'clock?—A. At McDonald's furniture store.

Q. Why did you leave before 1 o'clock?—A. Mr. Frank said, "Arthur, if your wife wants to get out before 1 o'clock she had better leave now. I will go as soon as I get my hat and coat."

Q. When you came down did you see Mr. Frank?—A. Yes, when I went down he was in his office.

Q. Did he have on his hat and coat as if he were going out?—A. No.

Q. What was he doing?—A. Writing.

Q. Could your husband and Deaham see the stairway from upstairs where they were working?—A. Yes.

Rosser took the witness on cross-examination.

Mrs. White, who talked about this matter to Mr. Arnold and myself, didn't say. You told us you left the factory about 1 o'clock. Yes.

Q. You don't mean to change your statement by saying it was ten minutes to 1 when you left, do you?—A. I can't say exactly what time it was, but I know it was about 1 o'clock.

Q. You left the first time about 11:30 o'clock?—A. Yes.

Q. Who were there?—A. Two men, Mr. Frank and a stenographer.

Q. Your father and your brother are old employees there, aren't they?—A. Yes.

Q. By whom did he send word to your husband that you were there?—A. Miss Emma Freeman.

Q. How long was it before your husband came?—A. About five minutes.

Q. Who else was there?—A. Miss Hall, was Freeman, Mrs. May Barrett and her daughter.

Q. You came back to the factory about 11:30 o'clock?—A. Yes.

Q. How close were you to Mr. Frank?—A. I looked at the clock.

Q. How close were you to Mr. Frank before you spoke?—A. I was in the office door just behind him.

Q. He jumped and you thought he was surprised?—A. Yes, that's what I thought then.

Q. When he told your husband he was going to leave, he said you had better go pretty soon?—A. He said I better go.

Q. You did wait a few minutes?—A. Yes.

Q. Just where did you see the darty as you went out?—Between the stairway?—A. Five or six feet.

Q. What do you mean—between the foot of the stairway and the door?—A. Yes.

Q. How far from the foot of the stairway?—A. Five or six feet.

Q. How long after this was it that you talked with Mr. Darty about seeing this negro?—A. I don't know how long it was.

Q. Did you notice anything unusual about his hand to start with?—A. He was trembling. And again when he went to nail up the back door, he did it for him.

Q. Did he look nervous?—A. Yes.

Q. What if anything, did Frank

"He will have to make the usual showing that he was entrapped, your honor," said Arnold.

"He is trying to bring in evidence from the outside," said Rosser.

"You can't read it, Mr. Dorney," said Judge Ross.

"My friend Dorney would show anything, your honor," said Rosser. "Nothing's too good for him."

Q. State to the jury how much of Frank's body was nervous?—A. That is a pretty hard question.

"Look at this," said Dorney, showing him a card.

"I said there he was shaking all over," said the witness.

Rosser objected.

Judge Ross asked the witness if he was making that statement now.

"Dorney, Reple's Guarded."

"Judge, that's a very hard question



Claude E. Smith, city bacteriologist, showing the jury the blood-stained shirt found at Newt Lee's home.

Asked Judge Ross of Solicitor Darty, Dorney and Hooper conferred.

"I am willing to strike out all reference to Newt Lee's condition," said Dorney.

Attorneys Exchange Courtesies.

"I am glad it had finally dawned on my brothers that these questions are illegal," said Rosser. "I have been trying to get them to see and I am glad to say that their minds have dawned upon them."

"I object," interrupted Hooper. "I object to Mr. Rosser's statement about how long it takes anything to seep into my head. A reference to that sort of attitude was made in the first investigation. We want to strip all that out of the record."

Dorney continued questioning the witness.

Q. Did you attend to any business Monday?—A. There wasn't much work to do.

Q. Did you see the financial sheet Monday?—A. Yes.

Q. Did Frank say anything about

the financial sheet Monday?—A. Yes, Mr. Frank called my attention to it.

Q. What did he say and at what time?—A. I don't recall the conversation, but it was about 9 o'clock.

Q. Did he ever come to the factory after he was discharged?—A. Yes.

Ordered Factory Cleaned.

Q. Did Frank say anything about it?—A. I don't recall.

Q. Did Mr. Hooper, the insurance man, come to the factory Monday or Tuesday?—A. He did.

Q. How was it?—A. He ordered us to clean up the factory in a general way.

Q. What time did you clean up the main floor?—A. May 3.

Q. Did you know anything about the finding of the club? (The witness was handed a heavy stick.)—A. No.

Q. Do you know whether it was found before or after the clean-up?—A. Afterward—about May 15.

Q. Where did you find it?—A. Here took up the cross-examination.

Q. Do you see any spots on the floor?—A. Yes, in the dressing room.

Q. Whom did they see you?—A. Quinn.

Galls Barrett, a "Columbus" man, was the last witness called. On the handle of the latter.

Q. How was it?—A. Would around the left.

Q. Did Mr. Barrett do it?—A. Yes.

Q. How many strands of hair were there?—A. Not over 10.

Q. Barrett has been doing most of the discovering around there, hasn't he?

Q. Barrett's object, said Dorney. "The question is immaterial."

"I want to show that this man Barrett was a monomaniac," said Arnold. Judge Ross ruled: "You can show that this man was more than ordinarily interested in the case."

"Do you recall Barrett stating he was working for a reward?—I don't recall."

Dorney's "Object."

"Judge Ross ruled that I have ruled that I can show that to prove interest."

Q. What do you think of this man as a regular character?—A. Barrett was a monomaniac.

Q. Do you know who Barrett made this statement to?—A. No.

Q. Is this a pay roll?—A. Yes.

Q. Do they have it all over the factory?—A. Yes. We have a rule that the pay roll is to be reported before the employees see it.

Q. They are very common in the mold room?—A. Yes.

Q. Were you present Sunday morning when Frank took out the time slip?—A. Yes.

Q. Did you see him run his finger down the time slip?—A. He ran his finger down the number side. I was looking over his shoulder.

Q. Is there a row of figures down the number side of the slip?—A. Yes.

Q. Did Frank say anything?—A. Yes, he said he had done it.

Q. How did you do it?—A. Just looking at the numbers. We would not have noticed a slip in the time slip.

Attorney Arnold addressed the court.

"Your honor, a juror wants to ask questions, but Mr. Hooper objects. I don't object to his asking the questions, but I object to his asking the questions without giving the answer," said Mr. Dorney.

Judge Ross ruled: "The juror is to ask the questions, but the witness is to answer them."

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Continued on Page 3, Column 1.

E. F. Holloway, pencil factory foreman, who said that he saw Frank return to the factory Saturday forenoon unaccompanied.

Frank called me.

Rosser objected.

"I object to anything Mrs. Frank said. She can't be used as a witness," he said.

"Your honor, we have already shown that Frank told his wife to call this man," said Solicitor Darty. "If that's all you want to show, I withdraw my objection," said Rosser.

Q. What time did Frank call at the factory?—A. Shortly after 1 o'clock.

Q. Did you notice anything unusual about his hand to start with?—A. He was trembling. And again when he went to nail up the back door, he did it for him.

Q. Did he look nervous?—A. Yes.

Q. What if anything, did Frank

nasal tone. It is his witness. He can't cross-question him.

"What's right," ruled the judge.

"But," said Mr. Rosser, "your honor, he has not been enforcing that rule."

"I am going to enforce it," replied Judge Ross.

"That's what I am asking you to do, your honor," returned Mr. Rosser. "I have been trying to get them to see and I am glad to say that their minds have dawned upon them."

"I object," interrupted Hooper. "I object to Mr. Rosser's statement about how long it takes anything to seep into my head. A reference to that sort of attitude was made in the first investigation. We want to strip all that out of the record."

Dorney continued questioning the witness.

Q. Did you attend to any business Monday?—A. There wasn't much work to do.

Q. Did you see the financial sheet Monday?—A. Yes.

Q. Did Frank say anything about

fresh Georgia Eggs - - - 17c

Fresh Country Butter for Table Use 25c

1913 Beaton's Honey - - - 15c

Fresh Tender Corn, dozen - - - 10c

fresh Tomatoes, quart - - - 3/8c

10 Bars So Laundry Soap - - - 25c

20 lbs. Ice Cream Salt - - - 15c

2 Cans (3 pound) Apples - - - 15c

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Only

Slow Meat 80
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Porterhouse Steak 20c

LAMB

Lamb Stew 10c
Lamb Shoulder 13-12c
Lamb Hindquarter 15c
Lamb Chops 20c
Lamb Legs 20c

VEAL

Veal Roast 15c
Veal Stew 10c
Veal Chops 15c
Hens (dressed) 12c
Hams (Sugar Cured) 14-12c
Pork 14-12c
Hams (Old Hickory) 18c
Hams (Star) 20c
Breakfast Bacon 15c
Eggs (Fresh country) 20c

COSS SHEET TESTIMONY OF STATE AIDS DEFENSE OF ACCUSED

Exceptionally Clear Brain Required on Such Figures, Rosser Shows

JUDGE CHANGES RULING ON EVIDENCE

Permits Defense to Show Nervousness of Others Than Frank After Tragedy.

Continued From Page 2.

made up?—A. Saturday afternoon.

Q. You were interested?—A. Yes, it was my duty to see it. It dealt with the coat of production.

Q. What time was it made up—that is, what day of the week did it show last?—A. Thursday.

Financial Sheet Introduced.

Q. Who makes it up now?—A. One has not been made out since Mr. Frank left.

Q. How long did it usually take him to make it out?—A. Always from about 1:30 or 2 until 5 o'clock.

Q. Look at this and tell me if this is the sheet you found on his desk Sunday morning?—A. Yes.

Q. How does it compare with his regular handwriting?—Dorsey objected.

Q. Object, your honor, he said, "The writing is the best evidence."

Q. I want to ask you are you familiar with Mr. Frank's writing?—A. Yes, I have been seeing it about five years.

Q. Now, I want to ask you one question, but don't answer until we get a ruling. Does this compare favorably with all of Mr. Frank's writing?—Dorsey objected.

Ruling on Handwriting Reserved.

"The code says your Honor, that we are entitled to the very best evidence," the Solicitor said. "This section holds that in any question of handwriting there is an expert must testify, and the papers or specimen of handwriting on the day in question and on other days should be introduced. The jury might not agree with the witness that the sheet in question and other sheets are similar. They can be produced, and they should be."

"I will withhold my ruling until I hear from some authorities," replied Judge Roan.

"I will ask the witness something else," said Arnold.

Q. What process did Frank have to go into to get at these results?—A. He had to get reports from every department, figure, average, costs, sales, profits, expense.

Figures Required, Clear Head.

Q. It took a man with a good clear head to figure it?—A. Yes.

Q. What calculation was necessary to arrive at this result?—A. The amount of rubber tips, labels, and every other little detail must be calculated.

Q. It required a large amount of calculation?—A. Yes.

Q. Sunday, were you in the factory with Frank and Detective Starnes?—A. Yes.

Q. There were forty or fifty people in the factory Sunday?—A. There were not, no, not over six or eight.

Q. Did you go into the collar?—A. Yes.

Q. What time did you get to the factory?—A. 8:30.

Q. There was a great deal of excitement there?—Dorsey objected.

"I think your Honor has already ruled on this question," said he.

Calls Nervousness Natural.

Arnold Interrupted.

"Your honor, it is eminently unfair," he said. "I want to show that this young man was whisked from his home before he had his coffee, and it was nothing unusual if he was excited. Why, I lived at a boarding house with some old teachers, and they wouldn't even talk before breakfast. When Newt Leo first saw this girl in the basement, he ran like a turkey. That was one way of showing his excitement. Some men are naturally nervous; some show nervousness in reading a paper or making a speech; some men go into a battle without even flinching."

Judge Roan ruled: "I think you can show the occasion."

Rosser Interrupted. "Let me give you a little illustration, your honor," he said. "I was on the streets during the time of the Atlanta riots. Crowds were everywhere and every one was excited."

Dorsey then spoke: "Only a few minutes ago, your honor, you ruled out, or we considered that you ruled out, the question of Newt Leo being nervous or composed. The only question before this jury is, was Leo M. Frank nervous?"

Dorsey Wins Ruling.

"You can't show that anyone else was nervous," said Judge Roan.

Rosser: "If you have ruled that way, it will vitiate this trial. This jury will never know that that crowd was nervous and excited. It will never know that Starnes, although he is, is troubled and was excited when he saw that Helms' corpse. The fact Campbell, son of the Emerald Isle, started back against where he

FACTORY GIRL CALLED TO STAND BY STATE

Miss Grace Hix, National Pencil plant employe.



touching that joy chest. And if there is one mistake at this time it will vitiate this trial.

"If there is any doubt on your honor's mind, I want to refer you to the 41 and 43 Georgia," said Dorsey. "This proposition is simply a dragnet to go out and bring in everyone when Leo Frank is the only one we are concerned with here."

The objection was sustained.

Attorney Arnold declared that he only wanted those around Frank in the factory described. Dorsey objected, and the objection was sustained.

Attorney Arnold then asked that the objection of the defense be reconsidered.

Blood Spots Common.

Q. How long have you been working at the factory where there were women, Mr. Darley?—A. 24 years.

Q. Isn't it a common thing to find bloodspots around the women's dressing room?—A. Yes.

Q. Did you ever see any blood spots around the dressing room in the factory?—A. (Darley hesitated.) Yes.

The same one he wore on Saturday.

Q. Did you see any scratches on it?—A. No.

Q. Did you see any scratches on Frank's face or hands when he came to the factory Sunday?—A. No, I did not.

Q. What time did Frank leave the factory Saturday morning?—A. About 2:40 o'clock. He started toward Monticello.

Q. You never saw him any more until Sunday?—A. No.

Elevator Found Unlocked.

Q. In what condition was the elevator Sunday?—A. The lock was in place but it was unlocked.

Q. Could anybody else have gone in and on it?—A. Anybody who knows how.

Q. That elevator and motor made a

good deal of noise when in operation, didn't it?—A. The saw made more noise than the motor and the elevator. When the elevator was running, the saw also was running.

Q. These cords that have been referred to they were scattered all over the building, were they not?—A. Yes, scattered all around.

Q. Mr. Dorsey asked you something about this building being cleaned?—A. Yes, after the girl was killed.

Q. It was very dirty on the floor of the metal room, wasn't it, the dirt being about an inch thick?—A. I don't know whether it would average that thick or not, but it was very dirty.

Q. The building also was very dark, especially on dark days, wasn't it?—A. Yes.

Q. What sort of a day was it on which the little girl was killed?—A. Drizzling rain.

Q. Is anybody supposed to be in the factory on Sunday?—A. No, sir. It is supposed to be locked up on Sunday.

Q. The rope on the elevator has some slack in it, hasn't it?—A. A little.

Q. Did Frank catch it with both hands, or with one hand?—A. With both hands.

Q. Frank only weighs about 125 or 130 pounds, doesn't he? He is what you would call a little fellow, isn't he?—A. Yes.

Q. Is he fatter now than he was

then?—A. He is about the same.

Q. How did you happen to go to Mr. Dorsey's office?—A. He phoned for me.

Q. He served a subpoena on you, didn't he?—Dorsey objected.

Dorsey objected, but Judge Roan overruled the objection.

Q. He served two subpoenas on me and I phoned no one.

Frank Nervous Every Day.

Q. Did you know those subpoenas were not worth the paper they were written on?—A. I didn't then. I have heard so since.

Q. Who was all Dorsey's office?—Dorsey, Chief Linford, Detective Starnes and Campbell and a stenographer.

Q. They asked you questions, except the stenographer?—A. Yes, sometimes. One would interrupt before I could answer the question of the other.

Q. They asked you whether Mr. Frank was a nervous man, didn't they?—A. Yes.

Q. Wasn't he a hard working man who easily got nervous when things went wrong?—A. Yes, sir. If your honor will allow me, I will say that there never was a day passed that Mr. Frank didn't get nervous over something. I have seen him run his hands through his hair in an excited way a thousand times.

Q. Mr. Frank didn't know many people, did he?—A. Yes.

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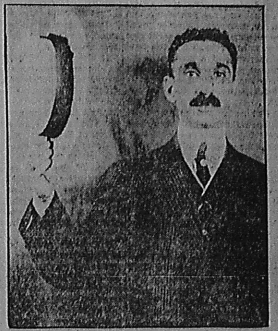
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Q. They asked you questions, except the stenographer?—A. Yes, sometimes. One would interrupt before I could answer the question of the other.

Q. They asked you whether Mr. Frank was a nervous man, didn't they?—A. Yes.

Q. Wasn't he a hard working man who easily got nervous when things went wrong?—A. Yes, sir. If your honor will allow me, I will say that there never was a day passed that Mr. Frank didn't get nervous over something. I have seen him run his hands through his hair in an excited way a thousand times.



R. G. President Goodyear Raincoat Company

Here We Are!

Back Again --- This Time to STAY!

GOODYEAR RAINCOAT CO.

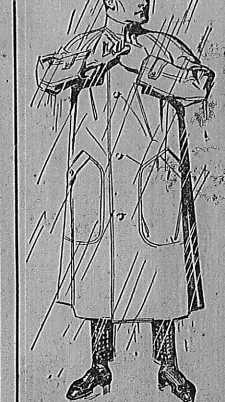
79 Stores---From Maker to Wearer---Est. 1887

GRAND OPENING SALE SATURDAY AND MONDAY

We have secured a long lease on our store, 35 Peachtree, and hereafter Atlanta will be SOUTHERN HEADQUARTERS for our chain of 79 stores. The name "Goodyear" is as staple as "Sterling" on silver, and we intend to offer such values in stormy weather garments as will make our slogan "From Maker to Wearer" famous from one end of Georgia to the other. We invite you to come here to-morrow and view the greatest collection of water-proof garments ever shown in the South. Raincoats, Cravenettes, Gaberdines, Slip-Ons and Imported Bombazines. Don't wait for a rainy day. Come to-morrow or Monday.

Most Remarkable Introductory Offer Ever Made

\$5 Slip-On 98c



Girls' India Stripe Rain Capes \$1.95

SATURDAY AND MONDAY ONLY!
To crowd our store to-morrow and Monday, the opening days, we will sell men's, women's and children's

Regular \$5 English Slip-Ons

You will recognize them instantly as the same coats for which you have been paying \$5.00—practical, good looking and made for long wear. We invite the public to take advantage of this phenomenal introductory offer to-morrow and Monday.

All These at HALF-PRICE

- Regular \$6.00 Raincoats, at **\$2.98**
- Regular \$8.00 Slip-Ons, at **\$3.98**
- Regular \$12.00 Slip-Ons, at **\$5.98**
- \$20 Men's Priestley Cravenettes, at **\$9.98**
- \$25 Gaberdines Coats, at **\$12.98**

\$5.00 Slip-On 98c



Boys' Rubber Coats

MAIL ORDERS

Goodyear

RAINCOAT COMPANY

35 Peachtree Street—Next to Nunnally's

On Lot-down folks may share in this sale, too. Select any Coat advertised and we will fill your order by parcel post the same day received, and fill it just as carefully as if you were here. The name "Goodyear" is your protection.

Girls' Rain Capes, made of good material and absolutely water-proof, convenient for school wear. Other styles and colors. Special Price **\$1.95**

Boys' Rubber Coats. In black, tan and gray, vulcanized soles, heavy double top. Other styles and colors. Special Price **\$2.48**

SEMI-ANNUAL STATEMENT

For the six months ending June 30, 1913, of the condition of

The Continental Fire Insurance Company

OF NEW YORK.

Organized under the laws of the State of New York, made to the Governor of the State of Georgia, in pursuance of the laws of said State. Principal office, 30 Maiden Lane, New York.

Whole amount of capital stock \$1,000,000.00

Total assets of the company, actual cash market value \$26,628,483.44

III. LIABILITIES.

Total liabilities \$1,168,450.41

IV. INCOME DURING THE FIRST SIX MONTHS OF THE YEAR 1913.

Total income actually received during the first six months of the year \$748,524.59

V. EXPENDITURES DURING THE FIRST SIX MONTHS OF THE YEAR 1913.

Total expenditures during the first six months of the year in cash \$456,201.21

Greatest amount incurred by any one risk \$100,000.00

A copy of the act of incorporation, duly certified, is of file in the office of the Secretary of the Company.

STATE OF NEW YORK: County of New York, J. D. Lopez, who, being duly sworn, deposes and says that he is the second vice president of The Continental Insurance Company, and that the foregoing statement is correct and true.

Subscribed and attested before me this 14th day of July, 1913.

Notary Public, W. W. JOHNSON.

Name of State Agent—VEANON HALL.

Some of Agents at Atlanta—L. RILEY & CO.

WITNESSES OUTWITTED BY FRANK IN MAPPING THE STATE

Has the State succeeded in thoroughly establishing the fact that Mary Phagan was a tragic death was effected on the second floor of the National Pencil Factory in Forsyth street...

It has not of course—but it has set up by competent evidence a number of suspicious circumstances which if properly sustained later along, will prove damning in the extreme to Leo Frank.

On these circumstances, trivial in some aspects, are based up and backed up, however, by other much stronger circumstances, they will give the jury, in all probability, little concern in arriving at a verdict.

Twice Thursday the Solicitor General claimed that he had been "entrapped" by witnesses—and this, with the lamentable fall down of John Black the day before—served to give rise in the minds of some spectators to a faint suspicion that the State didn't have its case very well in hand.

No Help to Defense. There is something terribly significant and actually sinister in that little word "entrapped," however, when bandied at a witness in the presence of a jury, and it would be a mistake to believe that a witness, accused, convicted, even in the mere opinion of the jury, of having deliberately misled the prosecution through his false testimony.

The witness who entraps, or who is thrown under suspicion of having entrapped, frequently does not have a wonderful amount of good. I believe, for instance, that Witness F. Holloway was speaking the truth when, on oath, he reversed his former affidavit to the Solicitor, and said that she left the elevator unlocked on Saturday, whereas he had sworn that he locked it Friday night and did not unlock it Saturday—the last inferentially, at least.

This point will mean a good deal later when it is reached in developing the defense case, and if Holloway's last story, apparently satisfactorily explained, how together, with the other witnesses, they were in the factory at the time of the murder, and that he had been deliberately accused by the Solicitor of entrapping him.

DORSEY UNAFRAID AS HE FACES CHAMPIONS OF THE ATLANTA BAR

This shows the Solicitor warily noting the moves of an opponent.



Hugh M. Dorsey, Solicitor and prosecutor, Leo M. Frank.

Up Against a Hard Proposition Youthful Solicitor Is Fighting Valiantly to Win Case.

Georgia's law's most superior faces Leo Frank. A reputation that he cannot be beaten must be maintained by Luther Rosser and Reuben Arnold.

But there is a man with probably as much stake as any of the hundreds who crowd Judge Roane's courtroom, with the exception of Frank and Dorsey, who is accepting the ordeal, though he realizes it, as calmly as a person who has nothing more serious to do than stand there or well done at breakfast.

High Dorsey is hereby introduced. He is known pretty well in Atlanta without introduction, he is chairman on political meetings, insists on telling the audience that the President of the United States is about to resign, and that the Secretary of State is endeavoring to earn an additional amount to his salary of \$120,000.

Sherlocks, Lupins and Lecoqs See Frank Trial

There are enough "hats" ahah! and those other exclamation, that mark a true detective besides the badge on his left suspended to all a whole volume of gabrielle's trilleries at the Frank trial.

A stranger whirled from the Terminal Station to Justice Roane's courtroom would be convinced before he had seen the majority of the law beards in that temple of justice five minutes that all Atlanta earns its living following clew, and that if Sherlock Holmes was made a material being he could beat Jim Woodward for Mayor by 3,000 votes.

He can take an envelope, locate it on a second floor and in a flash conceive just how a deed of murder was committed. He can watch a man's hand tremble and immediately conceive him a scoundrel and a villain of the deepest dye, although he doesn't take him for he had taken on too much the night before.

"Signe Air Hopeful," Says Uncle Ben. He can point out the fatal weakness in the attack of a lawyer who is so sure of himself that he makes himself make a week. A man selected by a scoundrel power to represent the majority of their law beards comes a mere novice under his merciless criticism.

"The signers air hopeful," remarked Uncle Ben Green, from the Hapeville way, as he listened to the findings of the amateur sleuths and checked the deductions and conclusions powers were never even dimly realized until this week.

There is a strong among around the courthouse, mingle with the Lupins, the Lecoqs, the Anna Katherine Trenton, N. J., Aug. 1.—The loan shark business of the country is being dealt a death blow today when Daniel H. Tolman, alleged to be the head of practically the entire business of the country, was sentenced to pay a fine of \$1000 and was placed under probation for three years.

Should Tolman be detected in operating a loan agency in any part of the State, his probation will be revoked and he will be brought back to Trenton to serve a prison term.

Tolman was arrested in a raid on his office here on July 30, 1912, and was one of the first caught in the net of practically the entire business of the country, was sentenced to pay a fine of \$1000 and was placed under probation for three years.

He sought the case at every step through the courts, but when forced to go to jail, changed his attitude and pleaded guilty.

Dr. O'Kelley Chosen As New Mercer Head. MACON, Aug. 1.—It is definitely announced that the presidency of Mercer University has been offered to Dr. W. O. O'Kelley, pastor of the Baptist Church, of Raleigh, N. C. It is believed that he will accept.

Dr. O'Kelley graduated at Mercer in 1840 with first honors, and subsequently he taught Greek and Latin at Mercer. Afterward he became principal of the Whitehaven High School in Atlanta.

Dr. O'Kelley is 54 years of age and has a wife and family. He is ranked as one of the ablest Baptist clergymen in the South.

Dr. O'Kelley was chosen from a list of fifteen prominent clergymen and educators.

OLD SPANISH AFTER FRANK TO BE DENISE THEORY

Was Mary Phagan killed at 9 o'clock near the time she entered the National Pencil Factory April 24 to get her pay envelope or was she merely attacked at this time and murdered by Leo M. Frank?

The line of questioning pursued by Luther Rosser in his cross-examination of two of the State's witnesses Thursday afternoon indicated that this will be one of the questions the jury will have to settle before they will be able to determine the innocence or guilt of Leo M. Frank.

Rosser was most persistent in his interrogation of both of William A. O'Connell, embalmer, and Dr. Charles A. Smith, physician and bacteriologist. O'Connell was taken to the pencil factory at about 4 o'clock the morning of the crime and took charge of the Phagan girl's body. He told Rosser Dorsey in the direct examination that the girl had been dead ten or fifteen hours and that rigor mortis was well established.

Rosser at once began an attempt to break down this portion of the embalmer's testimony, and succeeded in getting before the jury the witness admission that rigor mortis is extremely variable in the time it takes to set in and become well established in a body. O'Connell admitted that the surroundings in respect to dampness and temperature had not been taken into account in his testimony, and that the degree of rigor mortis would not be taken as an inflexible indication of the time that a person had been dead.

Frank's attorney made similar inquiries of Dr. Smith and from him obtained similar statements. The presumption is he will use the testimony of the State's witnesses to supplement them to support the theory that the Phagan girl was attacked on the first floor by Conley and by him was thrown down the elevator shaft.

Barrett looked on the ladder into the basement, but was not actually slain after Frank had left the factory in the morning.

Two other points will be established by the defense before the State rests if Rosser is able to write the testimony he wants from the witnesses called by Dorsey.

Says Frank Returned Alone. One of them is that Daniel Conley did not walk to the factory with or just behind Leo Frank Saturday morning, April 24, as a money sweeper, but that he did. It is F. Holloway, one of the State's witnesses, testified Thursday afternoon that he saw Frank when he returned from Monday Brothers that morning.

Rosser also displayed an unmistakable intention of making the detective and officers admit that Frank was under a virtual arrest when he was questioned Monday by the authorities, and that there was no reason why he should not have been aware of his status.

He succeeded in getting B. H. Barrett to make just this admission and undoubtedly will use it to explain the measures that were taken at once for the purpose of getting the State's witnesses to testify that Frank was not in his office at 12:30 on the morning of the murder.

The State faced Thursday afternoon a very serious situation, which was human blood from the floor of the National Pencil Factory at the home of Arthur White at about 12:30.

He told that Frank was extremely nervous when he was taken to the New Lee, the negro night watchman at the police station and that Frank seemed about in his chair, with the strands of hair on the bath-tub machine. No more was developed out of the testimony than was already known to the public when Barrett announced his discovery a few days after the murder. Barrett also declared that a white substance had been used with the apparent intention of removing the splices of red.

Sweeper Talks of Splices. Mrs. Stanton, a factory sweeper, corroborated Barrett's testimony of the finding of the spots and the white substance that was spread over them. She said that she saw the spots when she swept the factory Friday and that the first time he noticed them was when she swept on Monday morning after the murder.

So far, however, the State's witnesses have been introduced. Whatever advantage the defense has gained by this has come in two ways: first, their plan is a "teatly" device by the State being...

Who knows? The man is Frank Hooper. He has been positively identified as a man of the name of the late case here. His dinner check amounted to almost \$100, Hooper said. He called the waiter Mr. W. O. O'Kelley, and he paid \$1,000 bills, slipped off the top one and said: "Here, boy, keep the \$400 over to the manager of the hotel. Here, Mr. Gates, a check for the amount."

DR. WHITLAW Painless Dentist 71-12 Whitehall St. Have your teeth treated at once. Make your bed teeth as good as new. My system of painless dentistry enables me to make your good as new. My system of painless dentistry enables me to make your good as new. My system of painless dentistry enables me to make your good as new.

ANCHOR DENTURE CO. \$5.00 A SET. My Gold Duet Bootees Rubber Plate will not slip or drop. Guaranteed for 30 days. SILVER, PLATINUM and Porcelain, 40c and 5c. PHONE MAIN 188. OFFICE 71-12 WHITEHALL ST. TO 10 30. DENTURE CO. 71-12 WHITEHALL ST. SO. Largest and most thoroughly equipped Sanitary office in the South. Entrance, 73-12 Whitehall St. opposite Vaudeville Theater, fourth door from the corner of E. 7th St. and 7th St. SOUTHERN RAILWAY

