

CONLEY NOTES SHOW GUILT, SAYS BURNS

Detective Publishes Many in
Which the Spelling Tallies
with That in Phagan Note.

SEES FRANK EXCULPATED

Because Negro's Letters to Woman
Prove He Didn't Dictate the One
Left by Slain Girl.

Special to The New York Times.

ATLANTA, Ga., April 26.—A sensation more impressive than that created by the affidavits of the Rev. C. B. Ragsdale and the negro woman, Annie Maude Carter, in which they asserted that they had heard from Jim Conley's lips a confession of the Phagan murder, was announced by Detective W. J. Burns today in making public a series of letters written by Conley to Carter.

The detective in an interview said that a careful study of the letters convinced him more firmly than ever that Conley was the murderer of Mary Phagan, as Carter swore Conley had confessed to her. He also said it was plain that Conley was lying in his statement on Friday, that he did not know Carter except that he had seen her pass his cell; that Conley, contrary to the argument of Solicitor Dorsey, was accustomed to spell the word "negro" correctly; and that Conley was in the habit of using "did" interchangeably with "done," and did not confine himself to the ungrammatical use of "done," as the Solicitor contended.

Leo Frank, from his cell in the Tower, gave out a statement appealing to the sense of justice and fair play of the people of Atlanta soon after Burns made public the Conley letters.

Reporters were allowed to see the letters in the office of the Burns Agency. Detective Burns said that the same privilege would be accorded to any one who cared to inspect them. Conley is said by Mr. Burns to have written more than 100 letters to Carter since he has been in jail.

The detective had a mass of them in his office. One was brought by an operative while the reporters were there. Solicitor Dorsey, arguing that the murder notes found near the body of Mary Phagan were palpably dictated by a white man, said that a negro never would have spelled the word "negro" correctly as it appeared in one of the notes.

Yet several of the notes accredited to Conley and addressed to Carter contain this word spelled as it was in the death note at Mary Phagan's side. Solicitor Dorsey also said that Conley would have said "done" instead of "did" in the murder note had it not been dictated to him. In his notes to Carter the word repeatedly occurs.

Here is the comment of Mr. Burns in making public the letters:

"I have just come into possession of evidence of the most startling and convincing nature against the negro, Jim Conley, an examination of which proves conclusively that the murder notes found by the body of Mary Phagan emanated exclusively from his perverted brain.

"It is evidence of a nature more powerful and convincing than an actual confession from the negro himself. This evidence consists of a large number of letters written by the negro, Jim Conley, while in jail, addressed to the negro woman, Annie Maude Carter, who recently made an affidavit charging that Conley had confessed to committing the murder.

Shows Conley to Be Abnormal.

"These letters are some of the letters referred to by the Carter woman in her affidavit as having been written to her. These letters show beyond the peradventure of a doubt that Conley is an abnormal man. Most of the letters are addressed to Annie Maude Carter, but Conley addressed some of them to Annie Maude Conley.

"Conley asserted in his statement to the newspapers that he 'barely knows her,' but these letters utterly refute this, and show that he has simply entangled himself in another lie.

"It was maintained at the trial of Leo M. Frank by the State that Conley could only write with the greatest difficulty, yet I have in my hands a mass of these letters. They also substantiate my previous declaration that Conley was a prolific note writer.

"It is also interesting to note that these letters contain the words 'did' and 'negro.' These words are most significant in view of the fact that at the trial it was maintained by the State that Leo Frank must have conceived and dictated the death notes because they contain the words 'did' and 'negro,' and that if Conley had conceived these notes, he would have written them 'done' and 'nigger.'

"These letters completely explode the argument of the State, because they contain, as before stated, the words 'did' and 'negro' in the plainest writing. It has always been admitted, both by the State and the defense, that the author and writer of the death notes was the murderer of the little girl. Now that these letters have established beyond a peradventure that Conley is the author of the notes there should be no longer any question of Conley's absolute guilt.

"The authenticity of these letters is beyond question. They are identical

with the death notes. The 'h,' 's,' 'o' and 'w' are typical; in fact, every letter is a typical Conley letter. These letters are open for the inspection of any one who wishes to see them. In this respect the defense differs somewhat from Chief Lanford, who trumpets forth the charge of perversion, and when his bluff is called backs down and says he has nothing to show—in fact, that he had never made the charge.

Detective Burns also said that he believed he would be able to prove that Conley is the "Jack the Ripper" who murdered about twenty negro girls in the last three years. Each of these women was mutilated, and by the body of each the murderer left a note. Some of the notes bear marked resemblance in words and handwriting to those found by Mary Phagan's body.

Appeal to Public by Frank.

The appeal to the people of Atlanta, given out by Leo M. Frank, was as follows:

To the people of Atlanta:
I make this appeal to your fairness. It was the horrible charge that I was a pervert that poisoned your minds, infuriated you against me, and put me beyond the pale of human sympathy, where nothing that I said would be believed; where the word of a vile negro and self-confessed perjurer was eagerly accepted in preference to mine, and where I could not obtain even the common privilege to which every man is entitled—a fair and impartial trial.

It was this charge that so enraged the crowds around the Court House that the Judge upon the bench, fearing that I and my lawyers might be killed if the verdict was one of acquittal, advised them to remain away, and keep me out of the Court House. It is this charge that has poisoned and still poisons the minds of the public against me and denies me the common rights of a human being.

About two weeks ago Mr. Burns made, through the newspapers, the request that if any one had information as to any acts of immorality on my part that they would communicate with him. He received not a single response, and on

the next day, through the newspapers, he made an offer of \$1,000 for such information.

Again there was no response, except from Newport A. Lanford, the Chief of Detectives of the Police Department of Atlanta, who stated that he had in his possession the information that Burns was seeking, and added sneeringly, "probably more than he wants."

Mr. Burns being then out of the city, Mr. Lehon, his assistant, called, and the chief of detectives told him that while he had the information he could not show it to him, but would show it to Mr. Burns when he returned.

When Mr. Burns returned to Atlanta, he immediately called on Mr. Lanford and was told then by him that while he had the affidavits he would not show them to him because the motion for the new trial was then pending. How that could be any reason for him to conceal this information, if he had it, I do not understand, but this is what he is quoted as saying in the press:

That he refused on the ground that he did not believe it would be doing justice to himself, to the State or even to Frank, for any publicity to be given as to the perversion affidavits until after the hearing, and then added: "At the trial of Frank we did not bring up the subject of perversion. It was brought out by Frank's lawyers."

On last Friday, again, after my side had closed its evidence, Mr. Lanford was approached for these affidavits, and he repeated the statement that neither the State nor the police Department of Atlanta had ever claimed and did not now claim that I was a pervert, and that that charge had been put into the case by my own lawyers.

To this silly drivel, this pitiful failure of the man to realize his duties as an officer of the public, it is difficult for me to make reply. I can only say that his idiotic statement that the charge of perversion was brought into the case by my own lawyers is known to be a silly, impudent falsehood by thousands, if not millions, of people who know perfectly well that it was brought into the case by the testimony of Conley when he was first put upon the stand and examined by the So-

licitor General, representing the State of Georgia.

I submit to the people of Atlanta that Mr. Lanford has only taken this position because his bluff has been called. He knows perfectly well now, and he has always known, that the charge of perversion against me was a miserable, cowardly lie, and I further charge that if Mr. Burns had not demanded his proof he would never have opened his mouth, but would have allowed the public and the courts to remain under the impression that he and the police still believed and charged me with being a pervert.

I now make this solemn declaration: That I am not a pervert nor an immoral man in any sense of the word, and that these charges against me are a mass of horrible, atrocious lies. I further state, and send my message straight to the heart and conscience of every man and woman in Georgia, that I did not kill Mary Phagan, that I am absolutely innocent, and that my execution would not avenge her death.

The charge of perversion having been withdrawn against me, I do not see how any man with a love of justice and fair play in his heart could deny me the privilege of a new trial, a fair trial, which I have never had.

The charge of perversion that is now withdrawn made it impossible for me to get a fair trial. I have had none. I simply ask that I be given a fair show for my life; that I be allowed to make my defense before a jury that knows the truth, that I am not a pervert; a jury that will not be intimidated by the fear of being shot down and killed should it acquit me; a jury whose minds will be calm to weigh my testimony against that of a self-confessed negro perjurer and pervert.

A fair trial is what I want, is what I am entitled to, and what no fair-minded man should deny me, and I appeal to the fair-minded people whose silent influence stands back of the courts, and whose servants the courts are, to see that I am given a fair trial.

(Signed) LEO M. FRANK.

The report which came from the of-

fice of Solicitor Dorsey that Dorsey had held a secret conference with Marcellus Johannig, a juror in the Frank case, has created wide speculation in the camps of both the prosecution and defense. Mr. Dorsey, when asked about the secret conference, had nothing to say. He seemed surprised that it had become known. Johannig would not talk, saying that he had merely had a few words with the Solicitor. He would not divulge the nature of their conversation.

Numerous witnesses were brought to the Solicitor's office for the purpose of making affidavits, and he has accumulated a mass of evidence which will be used in a vigorous opposition to the motion for a new trial which the defense is making before Judge Hill.

Mr. Dorsey plans to hold all evidence secret until its presentation to Judge Hill. The evidence which he is believed to have obtained from Juror Johannig is being closely guarded. He is also carefully guarding numerous affidavits said to have been made by witnesses who have also made affidavits for the defense.

ACTRESS DIES OF POISON.

Secrecy in Death of Ruth L. Trufant, Known as Maida Athens.

Ruth L. Trufant, known on the stage as Maida Athens, died yesterday in the Red Cross Hospital from bichloride of mercury poisoning. She was taken to the hospital a week ago, and there was secrecy about the manner in which she took the poison.

Mrs. Trufant figured in the news in July, 1912, when she sued Henry G. Williams, proprietor of the Hotel York, for breach of promise, demanding \$50,000 damages. She lost the case and took it to a higher court, but it was not pressed, and two weeks ago it was dismissed. Mrs. Trufant lived in 2,128 Broadway.

The actress was a daughter of former Judge T. B. Stuart of Denver, and was divorced from William Trufant. She had played in many musical comedies.