

to impeach this man, Dalton, you could have found it out. And I submit that the man that did it, whoever he was, the man who had the charity in his heart to dress that negro up,—the negro that you would dress in a shroud and send to his grave,—the man that did that, to bring him into the presence of this Court deserves not the condemnation, but the thanks of this jury.

Let's see what Mr. William Smith, a man employed to defend this negro Conley, set up in response to the rule issued by His Honor, Judge Roan, and let's see now if they are not all sufficient reasons why Conley should not have been delivered into the custody of the city police of Atlanta, though they are no better, but just as good as the sheriff of this county. "Respondent (Jim Conley, through his attorney) admits that he is now held in custody, under orders of this Court, at the police prison of the City of Atlanta, having been originally held in the prison of Fulton County, also under order of this Court, the cause of said commitment by this Court of respondent being the allegation that respondent is a material witness in the above case,—that of The State against Leo M. Frank—in behalf of The State, and it is desired to insure the presence of respondent at the trial of the above case." So he couldn't get away, in order to hold him. "Respondent admits that he is now at the city police prison at his own request and instance, and through the advice and counsel of his attorney. Respondent shows to the Court that the city police prison is so arranged and so officered that respondent is absolutely safe as to his physical welfare from any attack that might be made upon him; that he is so confined that his cell is a solitary one, there being no one else even located in the cell block with him; that the key to his cell block and the cell of respondent is always in the possession of a sworn, uniformed officer of the law; that under the instruction of Chief of Police Beavers, said sworn officers are not allowed to permit any one to approach."

Judge Roan did it,—no reflection on the sheriff, but with the friends of this man Frank pouring in there at all hours