

the least doubt in my mind that these letters were written by the same person who wrote the notes found by the dead body of Mary Phagan.

S. N. TEITELBAUM, Sworn for the Movant. I am a court reporter and reported the oral argument made by Solicitor General H.M. Dorsey to the jury in the matter of the State vs. Leo M. Frank in Dulton Superior Court, on August 22, 23 and 25th. The Solicitor made the following statements:

(page 78) "...this man Frank, by the language of these notes, in attempting to fasten the crime upon another, has indelibly fixed it upon himself. I repeat it, these notes, which were intended to fix the crime upon another, have indelibly fixed it upon this defendant, Leo M. Frank. (page 79) And this man, here, by these notes purporting to have been written by little Mary Phagan, by the verbiage and the language and the context, in trying to fasten it on another, as sure as you are sitting in this jury box has indelibly fastened it on himself. (page 80) This letter that I hold in my hand says that this negro 'did it', 'did it', 'did it'. Old Jim Conley in his statement here, which I hold in my hand, every time he opened his mouth says, 'I done it' and 'I done it' and 'I done it'. Old Jim Conley if he had written these notes, never would have said 'this negro did it by hisself', but Frank wanted it understood that the man that did it, 'did it by hisself'. (page 81) My! My! 'That negro fireman down here did this'. ~~That's exactly the way that man that Jim says~~ ~~is exactly~~ Now, let's see how many times Jim says 'done it'. 'I locked the door like he done told me, I remembers that because the man what was with the baby looked at me like he thought I done it'. That's when they ran into the man that Jim says that man looked at him like he thought 'I done it'. It's the difference between ignorance and education, and these notes that you had that man prepare in your office on this paper that stayed on that floor and on that pad that came from your office, bears the marks of your diction, and Starnes and Campbell, with all their ingenuity, couldn't have anticipated that old Jim would get up here and state that 'this man looked at me when we ran into that baby like I done it'; and couldn't have said 'I locked the door like he done told me'; and couldn't have said 'I went on and walked up to Mr. Frank and told him that girl was done dead, he done just like this and said sh-h-h'. I could go on with other instances. (page 91) ..and it's a reasonable tale that old Jim tells you, and old Jim says, 'I done it', not 'I did it', but 'I done it' just exactly like this brilliant superintendent told him. There's your plot. (page 172) The diction of the notes, 'this negro did this', and old Jim throughout his statement says 'I done it', sustains Jim Conley. (page 174) Maybe he did, in certain instances, say that he did so and so, but you said in your argument that if there is anything in this world a negro will do is to pick up the language of the man for whom he works; and while I'll assert that there are some instances you can pick out in which he used that word, that there are other instances you might pick showing that he used the word 'I done' and they know it."

LEONARD HAAS, Sworn for the Movant. I have read the brief filed by the Solicitor General in the Supreme Court, and said brief contains

the following language: "These letters have intrinsic marks of a knowledge of this transaction. First: the pads were both usually found in his office and near his office. The language of these notes in attempting to fasten the crime upon another has indelibly fixed it upon himself. The pad, the paper, the language, yes, even the fact that the notes were written, show- not that the negro committed the crime, but another."

78 W. CARROLL LATIMER, ALBERT E. MEYER, Sworn for the Movant. We are acquainted with Leonard Haas and Henry A. Alexander and know their gen-