

# MAY INDICT WATSON OUTSIDE OF GEORGIA

Government About to Hold the  
Editor for His Fulminations  
on the Frank Case.

## CONGRESSMEN IN PROTEST

Delegation Objects to His Being  
Taken Out of the State—Say  
It Would Be a Stigma.

*Special to The New York Times.*

WASHINGTON, Feb. 2.—Twelve members of the Georgia delegation in Congress called on Attorney General Gregory today to protest against the Government's contemplated indictment of Thomas E. Watson of Thomson, Ga., for circulating alleged obscene matter through the mails in connection with the murder trial of Leo M. Frank. The visit disclosed the fact that the department was considering charges against Watson and contemplated submitting them to a Grand Jury outside the State of Georgia. The Congressmen directed their chief objection to this action, saying it would be a reflection on the State.

Mr. Watson, once candidate for President on the Populist ticket, is editor of *The Jeffersonian*, a weekly newspaper. After Frank's sentence had been commuted by Governor John M. Slaton, Mr. Watson published and circulated articles alleged to be in violation of the law.

Assistant Attorney General William Wallace, Jr., admitted to the Georgia delegation that action was contemplated. The only question which remains to be settled is where the indictment shall be sought. Five jurisdictions are being considered, four of them outside of the State wherein Mr. Watson lives. The evidence gathered by the Department will not be laid before the Federal Grand Juries in either New York or Chicago, it was said. The department wishes to avoid the appearance of seeking a locality where Jewish sentiment is strong, and which might be presumed to be hostile to Mr. Watson.

Members of the Georgia delegation protested that the proposed action would be a reflection upon the State and equivalent to a declaration by the Department of Justice that a fair trial could not be obtained within the State of Georgia. This they resented. They indicated that they could not interpose any objection if the department brought its case within the jurisdiction wherein he (Watson) lived and where his paper is published.

Representative Samuel J. Tribble of the Eighth Georgia District is contemplating the introduction of a resolution calling for a House investigation of the proposed action of the Department of Justice. He characterizes such a course as "unheard of" and "a stigma on the State."

Other members from Georgia oppose such a resolution, contending that Congress should not take any action in a matter pending before the judicial branch of the Government. If Watson has been guilty of a crime against the laws of the country, they assert he should be punished. They do object, however, to his being taken out of the State for trial.

"Should I become convinced that it would help Mr. Watson in this matter and defend the honor of the State, I would not hesitate to introduce a resolution of inquiry," asserted Mr. Tribble today. "I think it is an outrage upon the State for the Government to say it fears it cannot get a fair trial within the boundaries of Georgia. I have done my utmost for Mr. Watson and to uphold the integrity of my State and will continue to use every honorable and legitimate method to prevent this unheard of proceeding."

Mr. Tribble first learned of the contemplated new indictment of Mr. Watson last December, when he called to inquire about the case of alleged sending of obscene matter through the mails, now pending against the Georgia editor. In the trial of that case in Augusta, Ga., a mistrial was ordered. The jury was reported to stand 10 to 2 for acquittal. The case arose from the publication in *The Jeffersonian* of extracts in the original Latin from a volume by Charles Chiniquy, relating to the confessional.

While discussing this case Representative Tribble learned that the department was considering another indictment based on articles in *The Jeffersonian* relating to the murder of Mary Phagan, of which Frank was convicted.

He obtained the consent of the department officials to advise Mr. Watson of the new turn of events. Since then every effort has been made to have the new indictment brought in Georgia. The Department of Justice took the position that Mr. Watson had violated the law wherever he had circulated copies of his paper containing the objectionable matter.

The question presented was not one of taking a man outside of the State of his residence for trial on a crime committed within that State, but of trying him at any place where the crime of circulating obscene matter was committed.