

W. J. BURNS TO SIFT THE FRANK MYSTERY

Detective Will Investigate Con- viction of Mill Superintend- ent to Get at the Truth.

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ATLANTA, Ga., Feb. 18.—A declaration by Detective William J. Burns that he would undertake a personal investigation of the case of Leo M. Frank, convicted of the murder of little Mary Phagan; an announcement by Frank's attorneys that they would to-morrow ask the State Supreme Court, which yesterday refused to grant Frank a new trial, for a rehearing of the case, and a remarkable statement to the public by the prisoner himself were to-day's outstanding features in the remarkable case which has so stirred Georgia.

The grounds on which Frank's attorneys will base their motion for a rehearing are not known. The attorneys are silent beyond the statement that they will make the motion to-morrow.

"We are not done with the case yet by a great deal," said Luther Z. Rosser, leading counsel for Frank.

The appearance of Detective Burns in the case caused a sensation. Mr. Burns, who is here to deliver a lecture, said a New Yorker had talked to him about the Frank case, and had got him interested.

"I shall begin a personal investigation next week," said Mr. Burns, "to make sure that no injustice has been done. I have no intention of interfering with the courts, but there still seems to be an element of mystery about the case that I would like to clear up. Sometimes in circumstantial cases a chain of evidence is woven about an innocent man, and I want to be sure that this has not happened in the Frank case. I shall need to start at the very beginning and by the process of elimination seek to arrive at the truth.

"I do not say the case has not been well handled. I do not know. I do know that many detectives are crooks and grafters of the worst sort, and that they frequently muddle up a case and obscure the truth."

Mr. Burns held a long conference with friends of Frank during the afternoon. He will go from here to fill engagements in Florida, and return to Atlanta next week.

Frank, the convicted prisoner, says in his statement:

"My faith in men is unshaken, my faith in my fellow-citizens of Georgia steadfast, my faith in God supreme. I can truthfully say that there rests no bitterness or recrimination in my heart against those, who, with the authority of the law behind them, have enmeshed me, an innocent man, in the meshes of the law's machinery. I feel that they all have made a great mistake, a mistake which I trust has been unwillingly committed and the error of which I hope they may soon see. I feel toward them like the great Nazarene, who said: 'Forgive them, Father, for they know not what they do.'"

"A fabric reared upon a foundation of sand and a case upon a basis of error cannot and will not stand the acid test of reason, truth, and fairness. I do not ask for pity, for sympathy, or for quarter, I stake all on the truth. That alone is unshakable, uncrumbling, and lasting. I feel confidently that the truth will out; that God will not let an innocent man suffer for the crime of another; that 'the truth is on the march.'"

"There is one fact connected with this case that lifts it from the realm of mystery and places it in the category of just plain, dastardly, ordinary brutal murder. I refer to the two notes which were found by the body of little Mary Phagan. Unquestionably, the person that wrote those notes killed Mary Phagan. There can be no doubt of that.

"The two notes form a piece of evidence which is in a class by itself. They cannot be twisted or rattled on the witness stand, nor can any amount of third degree coercion, star chamber session or training make them change what they indelibly will always proclaim to the world—that the hand that wrote those two notes tied the cord around poor little Mary Phagan's neck. The study of those notes must show the truth.

"The study of those notes brings up another ridiculous, though sinister, element of the case—Jim Conley. I am not going into Conley's story in detail, for the facts concerning him are too well known to the general public for me to dilate upon them. His tale is replete with incongruities and impossibilities.

"The simple fact shows that Jim Conley's recital is not alone a vicious lie, but was impossible. In the last analysis the public, seeing clearly through the maze of contending and conflicting emotions, will recognize the truth, and cry out for fair play, and decency will be vindicated. Good people of the State of Georgia will never be a party to a judicial murder and stand aloof and watch a man wrongfully done to death. Truth must out, common sense and decency be victorious.

"The lamentable conditions prevailing at my trial were born of excitement and sensation. I feel secure that the great mass of the people will cry out for the full measure of justice to be given me and fair play meted out to me. That is all I ask, more I do not want. The truth is on the march."

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