

citizens of Atlanta, college mates at Cornell, and professors of that college.

The defendant was born in Texas, and his education was completed at the institution named.

The admission of Conley that he wrote the notes found at the body of the dead girl, together with the part he admitted he played in the transaction, combined with his history and his explanation as to both the writing of the notes and the removal of the body to the basement, makes the entire case revolve around him. Did Conley speak the truth?

Before going into the varying and conflicting affidavits made by Conley, it is advisable to refer to some incidents which cannot be reconciled to Conley's story. Wherever a physical fact is stated by Conley, which is admitted, this can be accepted, but under both the rules of law and of common sense, his statements cannot be received, excepting where clearly corroborated. He admits not only his participation as an accessory but also glibly confesses his own infamy.

One fact in the case, and that of most important force in arriving at the truth, contradicts Conley's testimony. It is disagreeable to refer to it, but delicacy must yield to necessity when human life is at stake.

The mystery in the case is the question as to how Mary Phagan's body got into the basement. It was found 136 feet away from the elevator, and the face gave evidence of being dragged through dirt and cinders. She had dirt in her eyes and mouth. Conley testified that he and Frank took the body down to the basement in the elevator on the afternoon of April 26, 1913, and leaves for inference that Frank removed the body 136 feet toward the end of the building, where the body was found at a spot near the back door which led out towards the street in the rear. Conley swears he did not return to the basement but went back up in the elevator, while Frank went back on the ladder, constituting the only two methods of ingress and egress to the basement, excepting through the back door. This was between one and two o'clock on the afternoon of April 26th.