

1: Frank "The Other James Boy" Page 2 "Legends of America

Excerpt from The Trial of Frank James for Murder: With Confessions of Dick LIDDIL and Clarence Hite, and History of the James Gang The indictment was returned by the grand jury' of Daviess county in May, , and by agreement of the attorneys, August 21, was fixed as a date for the trial.

Chapter 3 The third day of the trial: Dick Liddell being cross-examined, testified as follows: What time were you tried there? Objected to and the objection overruled. I was in the Penitentiary for that offense thirty-one and a half months. I left in June, but cannot give the year. I also saw Ed Miller and Wood Hite. I think this was in the latter part of September, I saw Bill Ryan and Tucker Basham at other places. Frank James was not there at that time. Up to I had not met Frank James. I joined the gang in We scattered out at this time. I went to Ft. Scott and stayed there about three months. I went the latter part of October or the first of November. We had been in some trouble and thought it best to scatter. To this question counsel for the State objected, as being an endeavor to investigate another and distinct offense. The point being raised that witness had a right to decline to answer if he should criminate himself, the Court informed witness of his privilege. Phillips here stated his intention to investigate the Glendale robbery, which occurred October, , and was therefore, so far as any question of privilege was concerned, barred by the statute of limitations. Wallace averred that this offense was not barred, and the Court remarked that the statute did not run against robbery. Wallace that if the defense went into the Glendale matter the State would take up the robbery at Blue Cut. Jesse James and Bill Ryan went with me to Tennessee. I never saw Shelby but once in my life, and that was in November, I was at his house then one evening and came back next morning again. From there we went to Atlanta. We left on Saturday night by rail, returning Sunday morning, a week later. We next returned to Missouri. We arrived about the 1st of November, Jesse James only came with me. Bill Ryan had come out in September previous. We came out after Bill Ryan. We went back without doing anything. We went back the same route. Jim Cummings was five feet eleven inches high, very slender, with sandy hair and whiskers and blue eyes. He was about forty or forty-one years old. James the defendant and he are about one age. I never heard about his being a married man. On this trip South we saw Gen. Joe Shelby at his house, or rather about yards from his house, getting out hemp weed. We rode up to the barn and then I went on foot to Gen. We were not all together at the time we met Shelby. There was never any such conversation between us. Witness continuing said "I went to Nashville, part of the way on horseback and partly by rail. I got there first and the others arrived two weeks later. Frank James was still living at his place until the last of January or first of February, , when he moved into Edgefield. I had not seen Ryan for three weeks before his arrest, and have not seen him since. He was arrested for a breach of the peace, in which he drew a pistol, and was put into Nashville Jail. We borrowed the horses on which we made this trip. Norris told us about seeing a posse of men fixing to go out somewhere. That same day Sunday we saw three men coming riding by the house. We thought they were coming after us, and Jesse and Frank and myself fixed ourselves. Frank went and fixed himself a place in the parlor by the window. I decline to answer about any expeditions in on the ground that I do not desire to commit myself. I decline to answer who went with me. The defendant was not with me. We went to bid Johnny Pence good-bye. I decline to answer where I got my horse. The arrangement was that we were to come out here to take the express where it crossed the river at Kansas City, the river being high so that trains could not cross. There was no other definite object right at that time. Samuels, on the last of May or 1st of June we learned that the river had fallen, and this project was abandoned. The Chillicothe trip was some time in June, and only took four or five days. Here the witness repeated the details of the Chillicothe trip, telling how they went into a church because of the rain, and had no supper or breakfast, and how Wood Hite went after Clarence, who had gone ahead by rail to bring out food, which was eaten in the woods. More on the cast of characters in The Outlaws The rest of the cross-examination of Liddell may be accurately described by saying that Mr. Phillips took the witness over every step of ground referred to by him in his testimony in chief without eliciting anything which tended in anyway to contradict that testimony. He told how he had since paid a visit to Gallatin, recognized some of the persons referred to in his direct testimony, such as Mr. Hamilton, the saddler;

who sold him the fenders for his horse, and Mr. Potts, the blacksmith, who shod his horse. He detailed facts and circumstances without the slightest hesitation or confusion, and freely admitted that he was here now under guard of Marshal Langhorn, of Kansas City, ever since leaving that last-named town. His testimony was given in an easy, fluent, even, matter-of-fact way, and in a conversational tone. A little flash of feeling passed between Mr. Phillips and the witness towards the close of the cross-examination. Witness was asked about eating at a Mrs. Montgomery, and was not with any parties who ate there, so far as he knew. He then turned to Mr. Phillips, and asked what time the question was supposed to refer to. Liddell redescribed the train robbery at Winston. He said that he and Clarence Hite were on the engine all the time except the time he went back over the coal to see if the brakes were on, and the time he went into the express car after Jesse James, after the thing was ended. The baggage or express car had solid doors. Jesse came out of the forward door when the train stopped and they all got off, and Frank came through the same door when he came over the tender to shut off steam. Witness heard firing back in the rear cars while he was still on the tender to the number of six or seven shots, and before he did any shooting himself. Witness did not fire a shot till after the engineer and fireman had run out on the pilot, when he and Clarence Hite fired two or three times each to bring them back. Witness did not hear any shooting at all after Frank James came over the tender. The shooting I heard was just after we started and before the first halt. We got there at midnight, and only stayed a few minutes to eat all the cold grub they had. Nichols and his wife were present. Jesse and I stopped there one night to get some butter milk. He denied also that in September, , in company with Jesse James, Wood Hite and Jim Cummings, he met Joe Shelby in a lane near Page City, when Shelby was on horseback and in his shirt sleeves, and declared he had not seen Shelby except the time at his house and last Thursday at Kansas City. No such conversation ever occurred. Witness also emphatically denied telling Joe B. Chiles, at Kansas City, that Frank James was not at the Winston robbery, but stated that he had a conversation with Chiles, in which Chiles said he had a pass from Governor Crittenden, and that he had been riding around on it, but that he had never looked for the James boys; never had tried to find them, and did not want to. Witness admitted that at or about the time of his arrest in Kansas City, he might have told Major McGhee that he witness was not at Winston. It was not probable he would go around telling everybody he was there. Witness also declined to answer the question, so far as inquiry by Mrs. Samuels was concerned, on the ground that it would criminate himself. Liddell declined to tell when or where he last saw Wood Hite, or when he first heard of his death, and declined also to answer whether Wood Hite was dead or not. He was in Ray County when he first heard of it. There he first met Sheriff Timberlake, about a quarter of a mile from the house, in a pasture. Had been negotiating for a surrender with Governor Crittenden through Mrs.

2: Trial of Frank James begins in Missouri - HISTORY

The indictment was returned by the grand jury' of Daviess county in May, , and by agreement of the attorneys, August 21, was fixed as a date for the trial. Court convened promptly at 10 A. M., on that day and the case of State v. Frank James was called. The State was represented by attorneys W.

The Real Frank James The glorified outlaw, and why he shed his criminal skin after the death of his younger, and more famous, brother. October 30, 0 0 0 0 Frank James sits with his mother, Zeralda Samuel, on the front porch of the James family farm in Kearney, Missouri, where he was raised. Countless books have Jesse James in the title, with no reference at all to Frank. Robert James is shown on horseback while serving our country in and during the Spanish-American War. Both films were notorious for their historical inaccuracies. Yet Frank was the man who brought Jesse to the dance, so to speak. Even so, people flocked to Jesse, which was obvious even during his lifetime. Louis Dispatch article, published on November 22, Jesse is light-hearted, reckless, devil-may-careâ€”Frank sober, sedate, a dangerous man always in ambush in the midst of society. Jesse knows there is a price upon his head and discusses the whys and wherefores of itâ€”Frank knows it too, but it chafes him sorely and arouses all the tiger that is in his heart. Neither will be taken alive. Who was the real Frank James? The first large wagon train to Oregon departed that spring, and Robert took advantage of a necessary tool for these journeysâ€”ropeâ€”by farming hemp as his crop. After Alexander Franklin James was born on January 10, , he and his parents moved into a three-room cabin by a creek in Clay County, which would be the James family home for the rest of their lives. The next year, their father died of cholera while prospecting for gold and preaching to miners in California. Zerelda remarried twice, first to Benjamin Simms in and then to Dr. Reuben Samuel in With Samuel, she would give her brood four step siblings: The James family were slaveholders, so when abolitionists spilled blood from Kansas into Missouri, Frank joined the Confederate cause, helping to defeat Union forces at the Battle of Wilson Creek in August Six months later, Frank was captured. This gang of men is where Frank met bushwhacker Cole Younger. Frank James, dressed in a Confederate uniform seated , posed with younger brother Jesse in light-colored hat and guerrilla comrade Fletch Taylor in this circa photograph taken by C. Giers of Nashville, Tennessee. Frank would place Jesse with him at a battle near Centralia, boasting to the St. After Jesse recovered from a severe chest wound he got while fighting in , Jesse and Frank moved back to their Missouri farm. They charged usury; they cheated farmers. That first daylight bank robbery in post-Civil War America would fuel robbery after robbery for the James brothers until one disastrous raid, on September 7, , in Northfield, Minnesota. Two weeks later, following a gunfight near Madelia, gang member Charlie Pitts died. The Younger brothersâ€”Cole, Bob and Jimâ€”were caught and sent to prison. The James boys had already split off from the gang. Cole would outlive Frank by one year; he had already outlived his brothers, Bob, who died in prison of tuberculosis in , and Jim, who committed suicide in But Cole never implicated the James brothers in the Northfield disaster. The year before Northfield, the James family had suffered a tragedy. On January 26, , a gang of Pinkerton men surrounded the James family farm and threw flaming pots inside the house, to flush out the brothers, mistakenly believing them to be home. There is no use talking, they must die. Let the men take no risk, burn the house down. But killing a child and wounding a mother earned sympathy for the James family. At the same time, when nearly six years later, Jesse was killed, a collective sigh was heard across the nation. Frank was no longer a solitary man. Louis Republic on August 5, Annie gave birth to their only child, a son, Robert Franklin James, on February 6, Her right arm had to be amputated at the elbow after the Pinkerton raid on the James family farm in that killed her eight-year-old son Archie. Hoping to hear from you soon. Crittenden to feel him out over her husband Frank surrendering to him. Those who were selected to represent Frank, most of them without fee, later went on to become members of congress and to hold various judicial offices. A Democratic jury was permitted, and people such as Gen. JO Shelby and the maimed Zerelda James Samuel were allowed to witness, characterizing Frank as a Southern hero and Jesse James as one who was methodically hunted down and murdered by the state of Missouri for little cause other than the fact that he was a former Confederate. The surrender and terms of trial were so well planned that there was never really any

doubt as to their favorable to Frank outcome. Marmaduke took on the role of governor in Missouri in , Edwards convinced him not to extradite Frank to Minnesota for any charges that dealt with crimes committed in that state. Minnesota, of course, was home to the Northfield raid, where citizens armed themselves and courageously fought back, yet lost two of their men in the bloodshed. He even joined up with his old comrade, Cole Younger, on a Wild West show tour through the South, and gave lectures on how crime does not pay. Frank lived in Nashville, Tennessee, in various places in Missouri including St. Louis during the s and in Oklahoma from to , says Roy B. Young, the first vice president of the Wild West History Association. After his mother died on February 10, , on her way home from visiting him in Oklahoma, Frank planned to summer in Missouri and winter in Oklahoma, which he did, until , whereafter he stayed in Missouri permanently. At the James family farm, Frank gave cent tours and sold souvenir pebbles to folks who stopped by to visit the grave of Jesse James and his childhood home. A man perpetually outshone by his younger brother in the annals of history, Frank left behind his wife, Annie, and their son, Robert, dying from a stroke, at the age of 72, on February 18, The Outlaw Glorified Frank had long ago shed the outlaw persona that froze his brother in the limelight. Would Jesse have done the same, if Frank had been killed all those years ago, instead of him? In , a nearly year-old Frank sought a court order to prevent the play, The James Boys in Missouri, from being shown on stage in Kansas City, Missouri. He voiced his concern: I am told the Gilliss Theatre was packed to the doors last night, and that most of those there were boys and men. What will be the effect on these young men to see the acts of a train robber and outlaw glorified? She wishes to thank Roy B. She has worked in niche publication content development since , and she has a B.

3: The Lost Cause: The Trials of Frank and Jesse James, by James P. Muehlberger | HistoryNet

Full Title: The Trial of Frank James for Murder. Description: The Making of the Modern Law: Trials, collection provides descriptions of the major trials from over years, with official trial documents, unofficially published accounts of the trials, briefs and arguments and more.

Do you know I consider this last letter of yours decidedly the best effort of your life. It was to the point and remember, I will certainly treasure it up as I would some rare gem, I was very much impressed with the idea that you and Rob were delighted with the idea of coming to see me. Time will drag until your arrival, what do you think William H. Wallace is in Nashville there acting in conjunction with one Bradshaw, a detective from Kansas City who has been there several days. Well, all he finds out I think he will be able to note on his thumbnail, I had expected as much and posted Glover to be on the lookout, I suppose [verso] he will follow me to the end. Let him he will meet fervor worthy of his still. We will be fully prepared never fear about that. By the time you get this you will be ready to start, if trains are not running through to Memphis. You can come the other route. I would suggest that you buy your ticket at Kansas City through to Nashville in the event you have to come that way, I expect you can get it cheaper than from Independence, you can go into Mr. Wrights and telephone to the agent in Kansas City and find out. I want you to get here as soon as you come no matter which route you come. Be sure to remember me to all my friends, so good bye darling, I am Your loving husband Tell Mr. Glover that Wallace is on deck and is still crying for my blood, The contemptible dog, and that he is, I hope to live to see the day to tell what I think. In his letter he expresses longing to see his wife, Annie Ralston James, and encourages her not to worry about the threats coming from the prosecution, which was led by William H. A notorious outlaw and member of the James-Younger gang, Frank James had been in prison since October 4, , when he voluntarily surrendered to Missouri Governor Thomas T. His reception and treatment was hardly that of a dangerous criminal. He was allowed to wave at crowds from the back of the train that transported him. A reception dinner was held for him once he arrived in Independence. In jail, Frank was allowed books, a comfortable chair, visitors, and whatever else he requested. He felt confident that he would not be convicted since the crimes he was accused of were committed years before. In the event that he was convicted, James was certain he would be pardoned by the Governor. And in a bizarre turn of events, Frank James managed to be acquitted or pardoned for every crime he was accused of committing. The eloquent closing statements of John F. Phillips and Charles P. Johnson succeeded in convincing the jury that there was not enough evidence linking James to the crimes. By this point, James had won the sympathy of most Missourians due to his Confederate loyalties and his Robin Hood-like desire to avenge his family and former members of the Quantrill guerrillas for the crimes committed against them during and after the Civil War. They pushed her around, despite the fact that she was pregnant at the time. When she refused to give up any information, they tortured Dr. The Pinkerton Detective Agency was known to be involved in hunting the brothers throughout their criminal career. Allegedly, the Pinkertons were involved in bombing the James-Samuel house one night. The family heard a noise and went to the kitchen to discover that the west side of the house was on fire. Reuben saw a bomb and tried to shovel it into the fireplace. He was too late. The bomb went off, killing Archie James and injuring Zerelda she lost her right arm. Supposedly, the brothers had mistaken Sheets for Major S. Others believed that the robbers thought Sheets had somehow been involved in killing Anderson. After James was acquitted and released in Independence, he was immediately arrested again; this time for the Muscle Shoals robbery in Alabama. Like the trial in Independence, Liddell failed to convince the jury that his testimony was reliable. Woodson when the crime took place in Alabama. He was again found not guilty. Upon his release, James was immediately arrested for the Rocky Cut robbery of July 7, , but Governor Crittenden pardoned him. James spent the next thirty years doing various jobs; he was a shoe salesman, a ticket-taker at a theater, and a telegraph operator. Right before his death, he supported himself and his family by giving tours of the James farm in Missouri for 25 cents. He died at age 71, leaving behind his wife and son. They can be found here and here. The Man and the Myth, New York: Berkeley Publishing Group, , p. Settle, Jesse James was His Name: University of Nebraska Press, , p. Posted by Luke M.

4: Leo Frank - Wikipedia

The trial of Frank James for murder. With confessions of Dick Liddil and Clarence Hite, and history of the "James gang" Item Preview.

The new men were of a different generation and did not have the same ties and loyalty to the gang the original members had. Bob Ford and his brother, Charlie, surrendered. They were tried, Bob for first degree murder and Charlie for aiding and abetting murder, and sentenced to hang. Missouri Governor Crittenden immediately pardoned them. Frank knew he was living on borrowed time. Frank surrendered his gun to Chittenden. It was agreed that Frank would not be extradited to Minnesota to be tried for the Northfield bank robbery and murder of Joseph Heywood. In Independence, where the first trial was held, Frank was treated as a visiting celebrity instead of an accused criminal. The first charges, the murder of Pinkerton agent Joseph Whicher and robbery of the Independence bank in , are dropped due to lack of evidence. Meanwhile, Minnesota tried to extradite Frank for the Northfield robbery, but Missouri leveled several more charges to hold him. It was presided over by Judge Charles Goodman. Frank was represented by eight of the most prestigious lawyers of the time. Shelby may have been a mixed blessing as the general was intoxicated and belligerent towards the prosecution team. Stacking the cards even farther, every juror was a Democrat, some former Confederate soldiers. Held in the town opera house to accommodate the huge crowd of spectators, it was one of the most sensational trials of the century. He was extradited to Alabama and went on trial in Huntsville on April 17, for the robbery of the Muscle Shoals paymaster. This time the prosecution lead attorney was William H. Smith, US Attorney and former reconstruction governor of Alabama. The men were well matched but the jury was composed mostly of Confederate veterans. He was wise enough to never return to Minnesota. Frank James at Farm However he did travel extensively, taking a number of jobs, everything from a shoe salesman to a race starter. He often worked around horses and was sought by various race tracks in various capacities. He served as betting commissioner for Samuel Hildreth, owner of the largest racing stable at the New Orleans Fairgrounds in Frank bought a farm in Fletcher, Oklahoma for a time but returned to Missouri after his mother died. Towards the end of his life he gave tours of the Old James-Samuels Homestead for fifty cents. Frank James died a devout Christian and respected citizen on Feb 18, Kathleen Walls, author About the Author:

5: Daviess County Jury Sides with Frank James – Daviess County Historical Society

The trial of Frank James for murder. With confessions of Dick Liddil and Clarence Hite, and history of the "James gang". by James, Frank. Published by G. Miller, jr. in Kansas City, Mo.

The paymaster was on his way with the payroll to pay the construction workers digging a canal near Muscle Shoals. At gunpoint, he extracted an apology for the offense, but his luck, and ultimately that of the James Gang, had finally run out. After a vigorous scuffle, Ryan was disarmed and under arrest. He was carried off to the Nashville jail where his identity was soon revealed, and he was asked to explain how he came into possession of a large portion of that army payroll. Huntsville Courthouse, where Frank James was tried, circa Jesse James, and his brother Frank, were soon implicated in the robbery and warrants were issued for their arrest. Within a year, Jesse would be dead, shot in the back of the head by Bob Ford in an attempt to earn clemency from the government for his own crimes and collect a hefty reward offered by the governor of Missouri. During the following year, Bill Ryan would be sentenced to a long prison term, Frank would surrender to the Missouri authorities, the rest would scatter, and the infamous James Gang would be retired for good. With Frank now in custody, it was time for him to face justice. A Huntsville grand jury indicted Frank and he was charged with armed robbery and brought to Huntsville to stand trial. A whole entertainment industry had been built around their adventures. Frank James received a celebrity trial. A large cheering crowd greeted his train as it arrived at the Huntsville depot. Newspaper reporters from far and wide descended on what was then the tiny town of Huntsville, filled the hotels and boarding houses, and filed sensational reports on the latest developments in the case. On April 17, , the trial began. Frank entered the courtroom accompanied by his wife, young son, and an all-star legal team headed by veteran Huntsville lawyer, Leroy Pope Walker who also happened to be the former Secretary of War for the Confederacy. The prosecution was headed up by the formidable William H. The two lead attorneys sparred and jousted in front of a jury made up largely of Civil War veterans. Leroy Pope Walker well understood his jury. He emphasized in his opening statement that Frank had also fought for the Cause, having served with the Missouri irregulars under William Clarke Quantrill during the closing days of the war. Governor Smith countered with the facts of the case. He brought out witnesses who identified Frank as one of the robbers. Under withering cross examination, Walker got each to recant their claim. As his case looked increasingly lost, Governor Smith saved his ace in the hole for last. James Andrew Liddel had been a loyal member of the James Gang for many years. He was the one who discovered Ryan had been arrested and even helped Frank and Jesse make their getaway. But Liddel had a weakness for women. Sometime after they fled Nashville, Liddel became involved with an attractive widow who had also caught the eye of Woodson Hite, a cousin of the James brothers. An argument over money turned violent and Liddel shot Woodson Hite to death. Liddel was subsequently captured by the law and, realizing the fix he was now in, decided to cooperate with the authorities. Governor Smith made him his star witness against Frank, his former comrade and employer. Frank James shortly after his acquittal. Liddel was portrayed as a liar and career criminal, who was destroying the character and reputation of an upright man like Frank, so he could avoid going to the gallows for murder. Governor Smith could see his case slipping away. After a parade of witnesses by the defense who swore that they saw Frank in Nashville on the day of the robbery and a brilliant final summation by Leroy Pope Walker, the jury reached its verdict. Frank James was acquitted of all charges. He walked out of that Huntsville courthouse a free man. It had been the trial of the century.

6: Frank James - Wikipedia

Full Title: "The Trial of Frank James for Murder."Description: "The Making of the Modern Law: Trials, " collection provides descriptions of the major trials from over years, with official trial documents, unofficially published accounts of the trials, briefs and arguments and more.

To serve a growing economy based on manufacturing and commerce, many people left the countryside to relocate in Atlanta, often in primitive housing. Mixed gender workplaces were seen as places for potential moral corruption. One of their strategies was to select rabbis and leaders who would put forth a positive image for their people and help reduce tensions between Jews and Gentiles. In Atlanta, a prominent leader from to was David Marx. However, a conflict arose between the established German Jews of the city who generally were able to economically thrive while getting along with their neighbors, and newly arrived Russian Jews. Rabbi Marx went so far as to describe the new arrivals as "barbaric and ignorant" and feared that these backward arrivals would awaken anti-Semitism where it had been notably absent. At a conference involving the child labor problem, many proposed solutions were presented that covered the entire political spectrum. Against this background, the murder of a young girl in triggered a violent reaction of mass aggression, hysteria, and prejudice. He then attended Cornell University , where he studied mechanical engineering. After graduating in , he worked briefly as a draftsman and as a testing engineer. After a nine-month apprenticeship, Frank returned to the United States and began working at the National Pencil Company in August The next day, shortly before 3: Her dress was up around her waist and a strip from her petticoat had been torn off and wrapped around her neck. Her face was blackened and scratched, and her head was bruised and battered. Her underwear was still around her hips, but stained with blood and torn open. Her skin was covered with ashes and dirt from the floor, initially making it appear to responding officers that she and her assailant had struggled in the basement. Later examination found bloody fingerprints on the door, as well as a metal pipe that had been used as a crowbar. A trail leading back to the elevator suggested to police that the body had been moved by Lee. Frank said he was not familiar with the name Mary Phagan and would need to check his payroll book. Frank returned home about At this point, Frank was not considered a suspect. He said Phagan was in his office between The detectives, suspicious of Frank due to his nervous behavior throughout his interviews, believed that Frank had arranged the plant. Steve Oney states that "no single development had persuaded To bolster their case, the police staged a confrontation between Lee and Frank while both were still in custody; there were conflicting accounts of this meeting, but the police interpreted it as further implicating Frank. Frank testified about his activities on Saturday and other witnesses produced corroboration. A young man said that Phagan had complained to him about Frank. Several former employees spoke of Frank flirting with other women; one said she was actually propositioned. The detectives admitted that "they so far had obtained no conclusive evidence or clues in the baffling mystery Lee and Frank were both ordered to be detained. Burns traveled to Atlanta to offer further assistance in the case. Tobie, a detective from the Chicago affiliate who was assigned to the case, said that the agency "came down here to investigate a murder case, not to engage in petty politic[s]. He said that, on the day of the murder, he had been visiting saloons, shooting dice, and drinking. His story was called into question when a witness told detectives that "a black negro Further investigation determined that Conley could read and write, [59] and there were similarities in his spelling with that found on the murder notes. On May 24, he admitted he had written the notes, swearing that Frank had called him to his office the day before the murder and told him to write them. They were skeptical about the rest of his story, not only because it implied premeditation by Frank, but also because it suggested that Frank had confessed to Conley and involved him. He said he had met Frank on the street on Saturday, and was told to follow him to the factory. Frank told him to hide in a wardrobe to avoid being seen by two women who were visiting Frank in his office. He said Frank dictated the murder notes for him to write, gave him cigarettes, then told him to leave the factory. Afterward, Conley said he went out drinking and saw a movie. He said he did not learn of the murder until he went to work on Monday. Three officials of the pencil company were not convinced and said so to the Journal. They contended that Conley had followed another employee

into the building, intending to rob her, but found Phagan was an easier target. To resolve their doubts, the police attempted on May 28 to arrange a confrontation between Frank and Conley. Frank exercised his right not to meet without his attorney, who was out of town. Conley then hid in the wardrobe after the two had returned to the office. Frank would get out and help me out and I decided to tell the whole truth about this matter. Smith was known for specializing in representing black clients, and had successfully defended a black man against an accusation of rape by a white woman. Although Smith believed Conley had told the truth in his final affidavit, he became concerned that Conley was giving long jailhouse interviews with crowds of reporters. He arranged for Conley to be moved to a different jail, and severed his own relationship with the Georgian. The Atlanta Georgian published a doctored morgue photo of Phagan, in which her head was shown spliced onto the body of another girl. Newspaper reports throughout the period combined real evidence, unsubstantiated rumors, and journalistic speculation. The prosecutor, Hugh Dorsey, had recently lost two high-profile murder cases; one state newspaper wrote that "another defeat, and in a case where the feeling was so intense, would have been, in all likelihood, the end of Mr. Dorsey is examining witness Newt Lee. Frank is in the center. On May 23, , a grand jury convened to hear evidence for an indictment against Leo Frank for the murder of Mary Phagan. The prosecutor, Hugh Dorsey, presented only enough information to obtain the indictment, assuring the jury that additional information would be provided during the trial. The next day, May 24, the jury voted for an indictment. The judge, Leonard S. Roan, had been serving as a judge in Georgia since The defense, in their legal appeals, would later cite the crowds as factors in intimidation of the witnesses and jury. Both sides contested the significance of physical evidence that suggested the place of the murder. Conley claimed in court that he saw Frank place the purse in his office safe, although he denied having seen the purse before the trial. Another witness testified that, on the Monday after the murder, the safe was open and there was no purse in it. On the day of the murder, Conley said he saw Phagan go upstairs, from where he heard a scream coming shortly after. Judge Roan noted that an early objection might have been upheld, but since the jury could not forget what it had heard, he allowed the evidence to stand. Both the person behind the pay window and the woman behind Ferguson in the pay line disputed this version of events, testifying that in accordance with his normal practice, Frank did not disburse pay that day. The starting point was the time of death; the prosecution, relying on the analysis of stomach contents by their expert witness, argued that Phagan died between A prosecution witness, Monteen Stover, said she had gone into the office to get her paycheck, waiting there from From the stop it was a two- to four-minute walk, suggesting that Stover arrived first, making her testimony and its implications irrelevant: Frank could not be killing Phagan because at the time she had not yet arrived. While mounted men rode like Cossacks through the human swarm, three muscular men slung Mr. Dorsey on their shoulders and passed him over the heads of the crowd across the street. The defense team issued a public protest, alleging that public opinion unconsciously influenced the jury to the prejudice of Frank. Under Georgia law at the time, appeals of death penalty cases had to be based on errors of law, not a reevaluation of the evidence presented at trial. The defense presented a written appeal alleging procedural problems. Both sides called forth witnesses involving the charges of prejudice and intimidation; while the defense relied on non-involved witness testimony, the prosecution found support from the testimony of the jurors themselves. With all the thought I have put on this case, I am not thoroughly convinced that Frank is guilty or innocent. But I do not have to be convinced. The jury was convinced. There is no room to doubt that. In addition to presenting the existing written record, each side was granted two hours for oral arguments. In addition to the old arguments, the defense focused on the reservations expressed by Judge Roan at the reconsideration hearing, citing six cases where new trials had been granted after the trial judge expressed misgivings about the jury verdict. The majority dismissed the allegations of bias by the jurors, saying the power of determining this rested strictly with the trial judge except when an "abuse of discretion" was proved. It also ruled that spectator influence could only be the basis of a new trial if ruled so by the trial judge. This appeal, which would be held before a single justice, Ben Hill, was restricted to raising facts not available at the original trial. The application for appeal resulted in a stay of execution and the hearing opened on April 23, At the same time that the various repudiations were leaked to the newspapers, the state was busy seeking repudiations of the new affidavits. An analysis of the murder notes, which had only been addressed in

any detail in the closing arguments, suggested Conley composed them in the basement rather than writing what Frank told him to write in his office. There was a debate between Rosser and Arnold on whether it should be raised at this time since its significance might be lost with all of the other evidence being presented. Louis Marshall, President of the American Jewish Committee and constitutional lawyer, urged them to raise the point, and the decision was made that it should be made clear that if the extraordinary motion was rejected they intended to appeal through the federal court system and there would be an impression of injustice in the trial. The full court also said that the due process issue should have been raised earlier, characterizing what it considered a belated effort as "trifling with the court". Both denied the request because they agreed with the Georgia court that the issue was raised too late. The full Supreme Court then heard arguments, but denied the motion without issuing a written decision. However, Holmes said, "I very seriously doubt if the petitioner Justice Lamar heard the motion and agreed that the full Supreme Court should hear the appeal. On April 19, , the Supreme Court denied the appeal by a 7â€”2 vote in the case Frank v. Part of the decision repeated the message of the last decision:

7: Frank James, of the James Gang, acquitted in Huntsville - Appalachian History

The Trial of Frank James for Murder with Confessions of Dick Liddil and Clarence Hite and History of the James Gang and a great selection of similar Used, New and Collectible Books available now at www.enganchecubano.com

After the loss of most of the gang members in the Northfield, Minnesota robbery attempt, the outlaw gang reorganized with new members under Jesse James. Most of these new members were younger, too young to have been war participants. They were a different breed than their predecessors, even more murder-prone and far less trustworthy to others in the gang. There were murders within the group, deceit, deception, and deals made with the law. Through the help of long-time supporter John Newman Edwards, Frank James surrendered to the governor. He had attempted to negotiate a pardon but was refused. The most valuable portion of any hypothetical deal made was that Missouri protected Frank James from extradition to Minnesota where he almost certainly would have been hanged for the Northfield murders. What follows is an account of the trial of Frank James at Gallatin, Missouri in for the Winston robbery and murder. It was the OJ trial of the day, with as much shock expressed at its outcome. At least two versions of the trial were published. The one that follows is the first published and is somewhat condensed in form and testimony. Frank James and his brother, Jesse, had been notorious outlaws, defying all law and authority ever since the war. Jesse James was killed by one of the band, Bob Ford, on the third day of April, , and Frank, tired of being hunted by detectives, surrendered to Thomas T. Crittenden, Governor of Missouri. The trial of Frank James, which we here give in full, will show to the reader how terrible, how daring and how powerful this band of outlaws had become, and how they were shielded and protected by some who were called among the best citizens of this country. This trial, though only the evidence from a court of justice, will be more entertaining to the reader than the wildest fiction. After some trouble in empaneling a jury, statements were made and the trial begun. The first witness for the State was John L. I reside at Colfax, Io. Was on the Rock Island train at Winston. Old man McMillan got on, too. It was near 9 p. After we got on the train three men entered the front end of the smoker. We had all come in at the front end of the car. Westfall was just putting checks in our hats when the three men entered the door. We were all standing together till we got our checks. The three men, with revolvers in each hand, rushed into the crowd, saying something we could not understand to the conductor. The conductor turned, when a shot was fired. The conductor wheeled and started for the rear of the car. The three fellows followed, shooting as they went. Westfall opened the door and fell off the train. The three men went on the platform outside the door and then turned and went back to the front end of. As they went out at the front door Frank McMillan and I went out at the rear door. As we did so two shots were fired and we sat down. I rose for a moment, and a shot came and cut the glass in the rear door of the car, which cut my hands and face. I saw a man standing on the front end of the smoker. I told Frank to sit down. We sat there about a minute. The man was at the front end watching those inside, and with one revolver. I think three or four shots were fired while we were sitting down. The man shooting aimed the shots right through the car. A man in the car cried out. Frank McMillan said it was his father and jumped up. As he did so a ball struck him and he fell. I could not hold him. The train was moving slowly at this time, and was already in motion when the shooting commenced. It ran pretty fast at first, but commenced slacking about twenty rods from the switch, which is thirty yards from the depot. At the bridge, a mile from the depot, they came to a standstill, and a man called out to move on further. The train started up and moved on for half a mile further and came to a full stop. The three men jumped off the car and started back past me and disappeared in the hollow. During the firing in the car the passengers all got down under the seats. The one man shooting was shooting right through the front door of the car. This door was closed after him. Its glass was all broken out, and so was the glass in the rear door which was also shut. There was a shot fired when I looked up and another fired when Frank McMillan looked up. Westfall was found farther up. He was dead too. The three men had on dark linen dusters, collar turned up and white handkerchiefs tied round their necks. Witness did not pretend to identify any of the parties boarding the train. I had charge of the engine at Winston We left on time I started and went fifty feet, when the bell rang to stop. I set the air-brakes and stopped After stopping a voice called out "All right; go ahead. After that word I looked

around, and two parties jumped off the coal into the cab, with two drawn revolvers, and told me to go ahead. We were 2, feet when the air-brakes were set from the inside of the train. That excited the two parties, and they told me to go ahead or they would shoot me. I explained matters to them and started the train. He said, "Keep her going," and to stop at the little hollow near the second tank. Before we got to the hollow I went out on the pilot and got on again on the third car. I saw but four people there. One was the baggage-man and the express-messenger, also two ladies. I asked where the other men were, and the messenger said they had not seen them since the last stop. The baggage-man and I went to the baggage-car, and after that we proceeded with the train. My fireman was Thomas Sugg, and the conductor was William Westfall. The two men on the cab were common-sized men. It was dark and I could not describe them. I never saw the conductor after we left Cameron. I heard no firing only on the front end of the baggage-car. I know that some five or six shots were fired. The last stop was made some two miles from the station. I believe the shots fired as I left the engine were fired at me. One of the men followed me out as far as the sand dome of the engine. The two men that were on the engine were not in a position to know or see what was going on during the firing in the coaches behind. The next witness, Frank Stamper, was baggageman on the Rock Island train. The car was used for baggage and express. This expressman was named Charles M. The train stopped or yards from the depot, and as I opened the door two men followed with revolvers in hand. One of them started to pull me out, and jumped out. One fired into the baggage-car, and the other kept guard over me. After the train started up again I got on the third car and went back and told the passengers that it was a robbery. Murray, of Davenport, Io. He told the same story of the baggageman being pulled out of the car. He heard some firing, and dropped behind some sample trunks in the car. After the second stop a man came in, who asked where the safe was and demanded the key, which witness gave him. The intruder then asked witness to open the safe, which he did, and the stranger took the money out or received the same from witness. The robber asked if that was all. He said they had killed the conductor and were going to kill me and the engineer, and ordered me to get down on my knees. This I did not do, when he struck me over the head and I was unconscious till the baggageman came in. I do not know how much money or treasure was taken. Here witness described the packages, but could not give their number or value.

8: The Real Frank James - True West Magazine

Full text of "The trial of Frank James for www.enganchecubano.com confessions of Dick Liddil and Clarence Hite, and history of the "James gang"" See other formats.

He was the oldest of three children. His father died in and his mother remarried Benjamin Simms in . After his death she married a third time to Dr. Reuben Samuel in when Frank was 13 years old. Census records show that James attended school regularly, and he reportedly wanted to become a teacher. The secessionists in Missouri , including Governor Claiborne Fox Jackson , attempted to drive the Union army out of the state but were eventually defeated. The James family was from the heavily Confederate western portion of the state. James fell ill and was left behind when the Confederate forces retreated. He surrendered to the Union troops, was paroled, and was allowed to return home. On his arrival, however, he was arrested by the local pro-Union militia and was forced to sign an oath of allegiance to the Union. After the withdrawal of regular Confederate troops in the fall of , a bitter guerrilla conflict soon began between bands of pro-Confederate irregulars commonly known as bushwhackers and the Union homeguards. By early , Frank, ignoring his parole and oath of allegiance, had joined the guerrilla band of Fernando Scott, a former saddler. He soon switched to the more active command led by William Clarke Quantrill. Union militiamen searching for Fernando Scott raided the Samuel farm and hanged Dr. During his years as a bandit, James was involved in at least four robberies between and that resulted in the deaths of bank employees or citizens. The most famous incident was the disastrous Northfield, Minnesota, raid on September 7, , that ended with the death or capture of most of the gang. Five months after the killing of his brother Jesse in , Frank James boarded a train to Jefferson City, Missouri , where he had an appointment with the governor in the state capitol. It was one long, anxious, inexorable, eternal vigil. He was acquitted in both Missouri and Alabama. Missouri accepted legal jurisdiction over him for other charges, but they never came to trial. He was never extradited to Minnesota for his connection with the Northfield Raid. His New York Times obituary summarized his arrest and acquittal: Frank James surrendered in Jefferson City , Mo. After his surrender James was taken to Independence , Mo. Finally James was acquitted and went to Oklahoma to live with his mother. He never was in the penitentiary and never was convicted of any of the charges against him. James took up the lecture circuit, while residing in Sherman, Texas. The Tacoma Times reported in July, that he was picking berries at a local ranch there in Washington state and planned to buy a farm nearby. He left behind his wife Annie Ralston James and one son.

9: The trial of Frank James for murder. (edition) | Open Library

The trial of Frank James the noted Missouri outlaw, was begun at Gallatin, Missouri, on the 20th day of July, [actually August]. The specific charge against Frank James was the killing of Frank McMillan at the Winston train-robbery.

Photo Archive Daviess County Jury Sides with Frank James Jesse James died in the prime of life in a way that could only multiply and strengthen the already internationally-known legend of the James Gang. But what of his soft-spoken brother, the student of Shakespeare? What marked the end of his life in crime? Frank James was tried for robbery and murder in Gallatin in Jesse James died in the prime of life in a way that could only multiply and strengthen the already internationally-known legend of the James Gang. When Frank James surrendered to Gov. Crittenden, authorities in many states besides Missouri were anxious to initiate legal proceedings. From all the places landmarked as victims of a James Gang robbery, it was decided that the best available evidence to convict Frank James might come from the July 15, , robbery of a Rock Island train at Winston, MO, in Daviess County. The most famous trial of the Old West unfolded in Galaltin Aug. Frank James faced charges of robbery and the murders of Conductor William Westfall and stonemason Frank McMillan during the train robbery at Winston, and also the murder of Capt. John Sheets in the bank robbery in Gallatin. The indictment against Frank James on the Sheets murder was dropped; a conviction was sought on the train robbery and murder charges only. It was truly a major event. Governor Crittenden attended the proceedings, as did U. Senators and other officials and notables from many eastern states. Joseph Daily Gazette, the St. Could a Commissioner of the Supreme Court of Missouri vacate his post to act as a defense attorney? Political interest was also at stake. Could a prosecutor from Jackson County make good his campaign pledge to put Frank James behind bars? And what might acquittal mean to Gov. Crittenden who was already suspected of promising a pardon in exchange for the surrender of the notorious outlaw? It was literally a theatrical event. The courthouse in Daviess County at the time was a nearly condemned structure. So, most of the trial was held in the opera house to accommodate the crowds. It was located in the upstairs of the Alexander Building in the middle of the west side of the business square. Judge Charles Goodman of Gentry County, a host of ladies, and representatives of the press sat on the stage. The principals in the trial were situated immediately before the stage. There were 13 prominent lawyers involved, including a former Lt. Over persons were interviewed before a panel of 12 jurists was selected. Over 70 witnesses would be called to give testimony. Tickets were issued so that the throngs of onlookers would not exceed " all the opera house could hold. Judge Goodman instructed deputies to allow no guns into the auditorium, and there was much concern about gunplay in town due to strong opinions on the innocence or guilt of Frank James. He claimed to be in Texas at the time of the Winston train robbery, visiting a sister. The trial lasted 17 days. The closing speeches provided a fitting climax. Both sides of the bench agreed to limit their final presentations " four speeches per side spanning two court days. Civil War sympathies were a constant backdrop to proceedings despite efforts by Judge Goodman against reliving the war. Most expected a hung jury. Missouri law assigned guilt to anyone proven to have participated in the crime. Thus, Frank James would be found guilty if jurists believed he were there regardless of whether or not he actually pulled the trigger killing Conductor Westfall and stonemason McMillan. There was shock and utter disgust expressed when an acquittal was rendered, but not necessarily in Gallatin. Cheers went up in the opera house immediately after the verdict was issued, though mostly from the throngs who ventured into Gallatin to offer an old Confederate comrade their support. How could Frank James be declared not guilty? Probably due to a combination of circumstances. Over 16 years had passed since the crime was committed. During this period, the legend of the James Brotehrs as modern day "Robin Hoods" was widely known. Perhaps the death of a younger brother and the maimed arm of his mother at the hands of Pinkerton detectives elicited sympathy for Frank James. The death of his more notorious brother, Jesse, in St. Joseph meant the end of the James Gang. Many also noted that Frank James surrendered to Gov. Crittenden rather than being captured by authorities. All these points impressed the jury. Perhaps most importantly, however, was the composition of the jury. He suspected a "stacked deck" of Southern sympathizers for Frank James. Only pressure by Judge Goodman, who feared gunplay if proceedings

THE TRIAL OF FRANK JAMES FOR MURDER pdf

were suddenly ended, kept the trial intact. This trial was selected for re-enactment during the 75th anniversary of the law school at the University of Missouri-Kansas City. It was also re-enacted by the Gallatin Theatre League in the fall of , near the actual site of the famous trial. Written by Darryl Wilkinson, Share this:

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