

**THE WILLIAM BREMAN JEWISH HERITAGE MUSEUM
ESTHER AND HERBERT TAYLOR
JEWISH ORAL HISTORY PROJECT OF ATLANTA**

MEMOIRIST: CHARLES CLAY
INTERVIEWER: SANDRA BERMAN
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<Begin Tape 1, Side 1>

INTERVIEW BEGINS

BERMAN: Today is November 6, 2007. My name is Sandra Berman. I am here with Senator Chuck Clay, who has graciously agreed to be interviewed for the Esther and Herbert Taylor Oral History Project of the William Breman Jewish Heritage Museum.

CLAY: You got that out.

BERMAN: I hate saying all that.

CLAY: Great job.

BERMAN: Mr. Clay, I realize in our conversation that you are far removed from what happened to Leo Frank.¹ The case. The lynching. But how did you first hear about the case and about the involvement of your great uncle, Eugene Herbert Clay?²

CLAY: I'll be honest. I think my first awareness of ever hearing anything about this case . . . first of all, my dad was a military guy, so I did not grow up in Marietta, Georgia. We moved around. I, literally, which I find was maybe an intro to me, what I find interesting is sort of winding back up in that home place more by happenstance, totally by happenstance, not by any plan on my part. If it was in Georgia history books,

¹ Leo Frank (1884-1915) was a Jewish factory superintendent in Atlanta, Georgia. In 1913, he was accused of raping and murdering one of his employees, a 13-year-old girl named Mary Phagan, whose body was found on the premises of the National Pencil Company in Atlanta, Georgia. The trial was the catalyst for a great outburst of antisemitism led by the populist Tom Watson and the center of powerful class and political interests. Frank was sent to Milledgeville State Penitentiary to await his execution. Governor John M. Slaton, believing there had been a miscarriage of justice, commuted Frank's sentence to life in prison. This enraged a group of men who styled themselves the "Knights of Mary Phagan." They drove to the prison, kidnapped Frank from his cell and drove him to Marietta, Georgia where they lynched him. Many years later, the murderer was revealed to be Jim Conley, who had lied in the trial, pinning it on Frank instead. Frank was pardoned on March 11, 1986, although they stopped short of exonerating him.

² Eugene Herbert Clay (1881-1923) served as mayor of Marietta, Georgia, from 1911 to 1912. In 1913, he was elected as Solicitor General of the Blue Ridge Circuit and acted as the state's chief prosecuting officer. In 1915, he was involved with the lynching of Leo Frank.

or Georgia discussions, I didn't grow up here. [I] didn't hear any of it. Never heard the case in law school. That may be good or bad. Maybe there wasn't legal precedent that would make it law school material. It was when I returned to Marietta at the lowest rung as a prosecutor in Cobb County, which means traffic court, in 1978, the *Marietta Daily Journal* and Bill Kinney³ were writing a story about the Leo Frank case. Bill, early on became an acquaintance. I guess, if you are in that business you like to have friends. We all like to have friends in the media. But he has been a dear friend. I just started asking him about that amongst other things. He was kind of the local historian. I don't remember what prompted it. Ironically, about the same time, my granddad died in 1978, so there was a series of articles, a little bit about Lucius Clay.⁴ I vaguely remember, there were articles about Leo Frank, not connected, but they happened to be threads of some history and locally, so I started a friendship. Bill Kinney never told me anything, to his credit. Whether he's one of those sworn to silence. He would kill me if I said he was that old. He has, maybe in the last few years, been more openly public about involvement. He introduced me, and this is along the way of getting me to answer your question. He introduced me to the young man who was interested in writing a book, named Steve Oney.⁵ I met Steve at Bill Kinney's office one day. He and I, if not certainly friends, struck up some conversations back and forth as he began his investigation on that in prelude to writing his book. At that point in time, Herbert Clay's son was still living, Eugene Herbert Clay, Jr. [He] was a very distinguished . . . I say distinguished. He was one of Tom Dewey's anti-corruption, Columbia Law School, and the variety of different posts. [He] was still living down in Sarasota, Florida. I think I may have made inquiry to Herbert, "Don't be alarmed or would he be offended if this individual called him." He said he would not. I really stepped back. I think Mr. Oney has indicated that I think either Herbert came to Marietta. If he did, he didn't call me. That doesn't mean we weren't good friends, but it was not my place. It was not my business. There was some

³ Melville William Kinney (1924-2016) was associate editor of *Marietta Daily Journal*. In 1976, he wrote a multipart series about the murder of Mary Phagan, the Leo Frank case, and his subsequent lynching. It was published on the 73rd anniversary of Phagan's murder in the *Marietta Daily Journal*.

⁴ General Lucius D. Clay (1898-1978) was the brother of Eugene Herbert Clay. His achievements include an eleven month-long Berlin Airlift of 1948-49. He served as a political advisor to U.S. presidents Dwight D. Eisenhower and John F. Kennedy. He died in Chatham, Massachusetts.

⁵ Steve Oney (1954-) author of *And the Dead Shall Rise: The Murder of Mary Phagan and the Lynching of Leo Frank*, published October 2004.

level, I think, of very emotional discourse on something that maybe had been in Herbert's heart for many, many years. Certainly he was a small, small boy. [He] would have probably been too young. I'm not even sure he was born, exactly, when this happened. I think, for whatever reason, these things occur. He certainly felt that his father had been directly involved. That is probably the first that it sort of came to me through that sort of circuitous route, that there was some indication that he had been directly involved, if not specifically, how.

BERMAN: Your grandfather, who was the younger brother, never discussed this with you at all?

CLAY: No. My grandfather . . . one, you have to remember families back then were long and extended. Herbert was almost 20 years older than my granddad. At least, I never knew him. I had a sense that there was not a terrible closeness, as there may have been between other members of the family. They all died young. That was a very Faulkneresque family. Herbert died young. Alexander died young. Frank died young. His sister [Evelyn] was always a little bit different. I'll say that. Ryburn, who became a very prominent banker, had his own set of issues. Very brilliant, but very meteoric in many respects. I think he, sort of, compartmentalized that part of his life and then went off to West Point⁶ and never came back. And he did not come back or stay in touch with his mother or that type of thing. His involvement, directly, with Marietta ended when he got out of Marietta High School in 19 whatever. It would have been 1913, 1914, 1915. Something like that. Back then, folks didn't fly to and from for vacations, certainly not from West Point. World War I began, and everybody went off to war. In his later years, and my granddad lived until I graduated from law school, it never came up. But it also never came up until late in life that I even knew he was from Georgia. I was wondering. We had a place up in Cape Cod, and he kept trying to grow peach trees. I always wondered, why is this guy growing peaches up in Massachusetts? They don't grow them there. They grow in Georgia. I remember him at the dinner table peeling peaches and saying, "That's a pretty good Massachusetts peach for a Georgia boy." I thought, "Georgia boy?" Then, I guess, all this sort of fit together. He was great on current

⁶ The United States Military Academy, also known as West Point, is a four-year coeducational federal service academy located in West Point, New York.

events. Loved history. Had been in a lot of places. Would sit there and talk to you but was never a reminiscer on anything. Now, this one may be intentionally so, but he certainly was not a cold, brusque guy. Would talk. Was a wonderful granddad but was never a reminiscer. Didn't talk about his childhood.

BERMAN: Or his siblings.

CLAY: Or his siblings. I think there was a lot of pain for a variety of reasons. That could have been part of it. No sibling hates their sibling. I think it angered him to a degree that they had so much talent and some of it was squandered. But that was never articulated. That was never, specifics given. It's not a child's place to ask, but I sensed that there was a sense of, "Why did you do this? Why did you let us all down? You had so much. You could have been so much, and you let it get away."

BERMAN: Do you think Herbert's involvement influenced the family's dynamics and choice of careers?

CLAY: He was a lawyer. A very distinguished lawyer. One of a first prosecutors of the Blue Ridge [Circuit], then a Solicitor General of the Blue Ridge Circuit. When this happened, he was the youngest president of the Georgia Senate. He was, sort of, being groomed to be the inheritor, I guess, the next generation for Senator Clay. He let life and alcohol, bluntly, and a variety of other things side track it until at the end, sadly, it was more a caricature than a real person. I think those things played a huge impact, emotionally, in my granddad, who was one of the most disciplined. He was not a teetotaler, but he never had more. He never had this. I mean, he just was absolute. When I say disciplinarian, I don't mean it by punishment. I mean how he lived his life. He loved the law. There has always been a streak of lawyering. The other thing my dad, who was also a career military officer, ever said he wanted to be, "If I couldn't have been an officer in the United States Army, I would have been a lawyer in Marietta." There was that sense of tremendous, even a connection, to a community that drew me back, ironically, to the same place, more specifically to this case. Again, it was always unspoken. What I found personally fascinating is in one family you had Herbert, who was involved in this, and then Lucius Clay, who was the military governor⁷ in the U. S.

⁷ A United States Military Governor is an appointed position over a U.S. territory or U.S. occupied territory.

zone in Germany. First and most direct political governmental responsibility was the DPs. The displaced persons.⁸ The Holocaust⁹ survivors, in many cases, hundreds of thousands of Jewish citizens from all over Europe suffered under the most horrific of circumstances. I don't know that that is justice, God's hand, a touch of how small the world really is. I'm not saying that he did everything perfectly or right or all the bad people were punished and things were roses and honey. They weren't. I do say and I'd like to think that maybe the fact that there could have been this in your family, at least made you want to try a little harder. Maybe if one person's life was saved who might have died, or medicine got to one and camp one day earlier, or a pair of shoes got to an orphan who had otherwise lost his or her parents a little bit faster, or all the little things that we take for granted. Survivors will tell you, the most important thing that I ever remember is when a GI or an American gave me a pair of shoes [or] gave me a chocolate bar. Those are the things that reminded me that I'm still human. You would like to think, and I don't want to be Pollyannaish, because nobody's ever said that, but it's certainly something I like to look at when you get a little down, saying, "Okay. You know, the world is a pretty small place." Your endeavors one day, you're never quite sure if they circle back around. Having been around politics for a while, I've found that to be pretty fast.

BERMAN: You brought with you today a box.

CLAY: Yes.

BERMAN: I'd like you to maybe hold it up and talk about it a little bit.

⁸ When hostilities ended on May 8, 1945 in Europe, as many as 100,000 Jewish survivors found themselves among the 7,000,000 uprooted and homeless people classified as displaced persons (DPs). In a chaotic six-month period, 6,000,000 non-Jewish DPs, who had been deported to Germany as forced laborers for the Nazis, wandered through Germany and Eastern Europe toward their homelands. The liberated Jews, who were plagued by illness and exhaustion, emerged from concentration camps and hiding places to discover a world in which they had no place. Bereft of home and family, and reluctant to return to their pre-war homelands, these Jews were joined in a matter of months by more than 150,000 other Jews fleeing fierce antisemitism in Poland, Hungary, Romania and Russia. Allied forces established temporary facilities (DP Camps) across Germany, Austria, and Italy to house DPs. Often, shelter was improvised and DPs found themselves housed in everything from former military barracks, summer camps and airports to castles, hotels and even private homes. Initially, the Allies herded Jewish DPs and non-Jewish DPs together, but conflicts arose. The need to recognize Jews as a unique and stateless group of DPs was urgent, and became obvious to the Americans. They created the first exclusively Jewish DP camp at Feldafing, which began absorbing Jews from Dachau in the summer of 1945.

⁹ The systematic, government-sponsored attempt by the Germans to annihilate the Jews of Europe between 1939 and 1945, which resulted in the deaths of nearly 6,000,000 Jews.

CLAY: Sure. This was actually a silver box that was hidden by a Jewish family, I don't know, who probably perished in the Holocaust. You can see, for purposes of the camera, it looks like about a 17th century village scene. Hand crafted silver box. On the inside, the inscription has fallen loose. It would have obviously appeared this way. This was a gift that Holocaust survivors gave to my granddad. I neither read Hebrew nor speak Yiddish, which is in part. On the English side [it reads] "To General Lucius D. Clay on behalf of the Jewish displaced persons, we express to you our heartfelt gratitude for the understanding you have consistently displayed for our needs and problems. We shall always regard you as a sincere friend of our people." The part that grabbed me is, it's signed by the Central Committee of the Liberated Jews in the United States Zone of Germany,¹⁰ May 8, 1949. I actually have a picture of those individuals presenting this box. I don't know what the value is, but emotionally and historically, to me is priceless. I had told you before, and I did not bring that. The Russians gave my granddad, as the conquerors of Berlin, several items from the Chancellery¹¹ and a couple items from Berchtesgaden [Germany]. That one is so vibrant. To me, it is such a contrast of horrors of a philosophy dedicated to the total extermination of these people. In the greatest, just the greatest horrific tragedy, this box represents in so many ways: You didn't kill us. You didn't do it. We're here and you are dead.

BERMAN: It's truly remarkable two brothers, twenty years apart, two different . . .

CLAY: It's a small world.

BERMAN: Yes. Is the Frank case discussed in Cobb County today in Marietta?

CLAY: There is sort of two worlds in Cobb County. If you looked at Cobb County at large, 650,000, cosmopolitan area, the majority of whom are people who came from

¹⁰ The Central Committee of the Liberated Jews in the United States Zone of Germany was the official representative body of displaced Jews in the American zone of Germany from 1945 to 1950. It was founded on July 1, 1945, at the first meeting of representatives of Jewish DP (displaced persons) camps held in Feldafing. It came into being through the joint effort of Dr. Zalman Grinberg, the head of the St. Ottilien hospital DP camp, and former director of the Kovno ghetto hospital, and Rabbi Abraham Klausner, an American Reform rabbi serving as a chaplain in the United States Army. Its headquarters were in Munich, Germany. The Central Committee was involved in every aspect of Jewish life, either independently or in conjunction with one or more of the Jewish welfare agencies operating in the area. It played a central role in education, culture, religious affairs, historical documentation, employment and training, supply and distribution, politics and public relations, family tracing and immigration, and legal affairs and restitution.

¹¹ The German Chancellery is an agency serving the executive office of the Chancellor of Germany, the head of the federal government.

areas outside of Georgia, I doubt that you would find one in a hundred that would have any idea or clue what you were talking about. Maybe that's good. Maybe that's bad. History changes fairly fast. If you go to Marietta and sort of peel back the onion a little bit, you have the Cobb County . . . as we say in the bar association,¹² there's a Cobb Bar and there is a Marietta Bar. They are two very, very different animals. They might overlap, but it's a different group. The Marietta Bar is very loyal. It can be very bipartisan. Roy Barnes¹³ is a world. Is the office is next to mine. You fight and fight on the legal system, but there is nobody that has been better to me. [He] is a fine personal friend and a former governor. That's the Marietta Bar. Amongst that closer knit, more historical community . . . again because I didn't grow up [there], you would certainly had a greater awareness, probably in many respects, a universal awareness of this case. Now, is it talked about? There was very little discussion. It sort of peaked again amongst that group when Steve was writing his book because there was that sense of, "What are the names? Who are the names?" That has sort of been done. Folks can argue whether that's 100 percent accurate or not. Who, there, or whatever. It's more looked at if it's discussed now as a factual issue than a "who done it" type of issue. To me, the more important aspect is, there is still something universal and emblematic about the case at a variety of levels. I don't like to be those who live in the past for the sake of the past, but there are certain circumstances or certain events that do have a universality to them. There is something to be remembered. One of the reasons, if you look at the Georgia flag, we're under the Constitution. The word "Constitution" is on the gate from the University of Georgia. We're supposed to be a nation of laws and not individuals. It's very easy, if a community's finest can rationalize their behavior as being morally right because "we are the upstanding leaders of the community." That doesn't make it so. Even if you disagree. Even if sometimes justice is not done, the law is there for a very

¹² A bar association is a professional body of lawyers. Some bar associations are responsible for the regulation of the legal profession in their jurisdiction; others are professional organizations dedicated to serving their members. In many cases, they are both.

¹³ Roy Eugene Barnes (1948-) is a Democrat who served as the 80th Governor of the State of Georgia from 1999 to 2003. In 2003, Barnes was awarded the Profile in Courage Award by the John F. Kennedy Library for his success while Governor of minimizing the Confederate battle emblem on the Georgia state flag despite the political fallout. It is widely believed that his support of the flag change significantly contributed to his re-election defeat in 2002.

profound purpose. This case is emblematic of how that can go awry for what at a time and place was considered the very best and honorable of reasons. It doesn't make it so.

BERMAN: That sort of leads me to the next question, which you partially answered. Why do you think this case still resonates? It still brings movies and plays and now this exhibition. What is it about it that keeps us talking?

CLAY: I'm probably not enough of a philosopher to give you all the right answers. Some of it, it's the just a factually gripping story from, I hate to say, that appeals the murder of a small girl. That's horrific. But it's a factually gripping story from the crime itself to the trial, the emotions, race. African, black, white, antisemitic. The interests. The demagoguery that later became inflamed and involved in it. As I said earlier, the leaders of the communities taking matters into their own hands for what they thought were all the right reasons. It continues to say something. I think at one level, it tells us: be very careful when we start categorizing people and forming judgments based upon ethnicity, whether that be Jewish or African or Irish. If I met you outside of this building, I would have no more clue if you were Jewish. If you had told me you were Norwegian, I would have believed you just as much. I would have said fine. You would probably said the same about me. The fact that because I later found out you were Jewish, that then changed or tilted my perception of you, you need to be very careful. I'm not sure that we ever, ever reach perfection. We are not made to be perfect. I'm a Christian, and by our ideals, that is the nature of our being. We are allowed to repent. We are allowed to do better. I think, most importantly, we're allowed to love and be conscious of the fact of our own shortcomings. I think, in some respects, a case that you don't have to unwrap, even in terms of the horrors of the Nazis, which is overseas and involving millions, you can wrap this down to one family. One story. One incident. For all those reasons, I think, which was not your purpose, which some people do, the idea we want to replay this is to somehow slap the South or slap these people or that people. That is counterproductive and ridiculous. Quite candidly, [it] doesn't. Fine, go ahead, if that's what you want to do. I think in a larger sense it is important, and as a former history major and anthropology major, I am always fascinated in human events, in what pushes and pulls and what creates. There are certain things that you hold on to because they say and repeat universal messages. I do think this case does [that]. Whether you agree or

disagree with who did it or who did not, there are certain things that are unalterable, and I think they are universal.

BERMAN: Getting back to Herbert again. Based on his untimely death, I mean he died rather young. Do you think, and this is just your own opinion since it wasn't discussed, that the lynching had an effect on the rest of his life? That it affected him in a . . . ?

CLAY: I've had it said after the fact by people who wouldn't know, but [I'm] not saying it couldn't be true either, felt in some in some respects, yes. I've had some say that at a certain point of time played into that sense of, "What have I done?" I had one person many, many years ago, say that his guilt over that, later in its political career, I don't think this is really true. But it is one of the stories, that he was, in fact, murdered. But later in his political career, [he] had taken on the KKK,¹⁴ as a sense of either guilt or possible reparation for his involvement earlier and was beaten up because of that, trying to take on some of the more strident aspects of the Ku Klux Klan. I don't know. I've never had that confirmed. I've never read that anywhere. Those are the few things I have heard over the years. Very limited.

BERMAN: Living in Marietta now, have you ever had discussions with any of the other descendants of some of the individuals that were involved?

CLAY: The only one that I probably ever talk to in any kind of detail was Bill Kinney. I'm sure it has come up occasionally in passing with, Roy Barnes, Otis Brumby,¹⁵ folks that . . . not in any detail. Whether it be a casual conversation or something comes up again. "Well, I guess the families going to the whatever movie or this or that. Maybe we're going to get another six phone calls from *The New York Times* about whether I'm still wearing overalls or not down here." That type of comment but not in any great detail. I'll be honest, I think that for whatever transpired that many years

¹⁴ The Ku Klux Klan (or Knights of the Ku Klux Klan today) is a white supremacist, white nationalist, anti-immigration, anti-Jewish, anti-Catholic, anti-black secret society, whose methods included terrorism and murder. It was founded in the South in the 1860's and then died out and come back several times, most notably in the 1920's when membership soared again, and then again in the 1960's during the civil rights era. When the Klan was re-founded in 1915 in Georgia, the event was marked by a cross burning on Stone Mountain. In the past its members dressed up in white robes and a pointed hat designed to hide their identity and to terrify. It is still in existence

¹⁵ Otis Brumby (1940-2012) was known as a hot-tempered journalist of the *Marietta Daily Journal*. He is described as being influential in helping to shape modern Cobb County.

ago, for the generation that was involved, they did . . . we find it incomprehensible today and absolutely unbelievable if you told any of my kids that this could be the case. They did, in fact, shut up. Everybody today would have to write a book. They would be on CNN and Larry King and talking about how it hurt them and whatever this, great, whoever, or whatever. These folks, say what you will, they were tough. All of them. Everybody back then. They were tough. This is barely a generation removed from the Civil War. You've got to remember, rural South . . . my granddad said he had no idea when he went to West Point and opened up a book on the Civil War that it was the same conflict. Not a clue. Confederate Memorial Day¹⁶ was the biggest celebration in town. I say that not for secessionist's pride, but maimed, wounded, and grizzled veterans of the most intense horrific combat. Senator Clay was hauling water as a 10-year-old boy to the troops in the middle of battle at Kennesaw Mountain. That wasn't atypical. These are folks that came through starvation and destruction. They are tough. May not like them, but they are tough people, and they were close people. They were close knit people. Whatever transpired on this, they shut up. While everybody, including myself, when I got back here never heard that so-and-so was involved, whoever, or whatever. Or that Herbert Clay was this. I never heard a thing. Whether that's accidental by design. I suspect, for even a lot of the folks in Marietta, who may wink and indicate they know something about it, they don't have a clue. Everybody wants to be on the inside, but their grandparents or great grandparents didn't talk about it.

BERMAN: It is amazing. I think that is what sometimes is forgotten . . .

CLAY: And it died with them.

BERMAN: By historians or just popular writers that this happened only 50 years after the end of the Civil War.

CLAY: It was tough times.

BERMAN: It was still a very sectional kind of conflict between, I mean, the kind of South resented what the Northern newspapers . . .

CLAY: They were hardscrabble. One step away from starvation, with everybody's brother, uncle, or dad having been wounded, fought, or otherwise killed in the conflict. I

¹⁶ Confederate Memorial Day was a public holiday held on April 26, which marked the anniversary of the end of the Civil War in Georgia. The holiday was approved by the Georgia General Assembly in 1874. In 2015, Governor Nathan Deal struck it from the state's official holiday calendar.

hate . . . to them, forget whether or not this individual was Jewish, black, brown, or green. Death and destruction was an everyday matter for these folks. That doesn't make it right. [I'm] not saying anything to be excusable. One of the worst things a historian can do is impose their sense of today on yesterday, because if you do that, then you are losing all impact of history, and hopefully, hopefully, an evolution for the better.

BERMAN: How did you react to the publication of Steve Oney's book and also some of your contemporaries?

CLAY: I don't know anybody that wasn't . . . I don't know whether it began back there, but certainly, publicity tours started in Marietta. He must have felt that there was some value in doing that. You have to separate out the good will and some of the . . . I'm smiling. Obviously the event we're talking about is tragic. Steve is a great guy. He's fun to be around. To come back to Kiwanis Club with a Tom Watson Brown¹⁷ and half the other folks, many of whom all probably thought their families were involved that weren't. Everybody wanting to be a part of the visibility and publicity of a truly stupendously researched work, whether one agrees or disagrees. That's the beauty of history. We don't all have to agree. But I think the book was extremely well received, even by the sort of infamous curmudgeon raconteur Tom Watson Brown, who may have said he didn't like it or didn't like the conclusion, but he was at the Kiwanis lunch. That is one of the great things about community. I think at this time, my dear friend and long-time the court room opponent Van Pearlberg,¹⁸ who's now a city councilman in Marietta, has made a different sort of aspect and view and speaks at a variety of civic clubs, men's clubs, churches, and places about the case. People are interested. [He] does a good job. That's probably a good thing. I don't know anybody, there may be . . . I've picked up an occasional grumbling, "I got to get another *New York Times* reporter calling me and asking about . . . talk about the rural south." Well, we are really not all that rural. I mean, you can look a long way in Cobb County without finding a farm. Most people say the truth is the truth. One of the better things of today . . . there is something noble about

¹⁷ Tom Watson Brown (1934-2007) was the great-grandson of Thomas E. Watson, who was a lawyer, publisher, and the national Populist leader who lived a century ago (1856-1922). He published an analysis of the Leo Frank trial, which caused a surge in demand for the *Jeffersonian* newspaper. Tom Watson Brown was a lawyer and historian. He led numerous business, civic, philanthropic, and scholarly organizations.

¹⁸ Van Pearlberg is an attorney in Marietta, Georgia, and served as Councilman for the city of Marietta from 2006-2012.

being able to shut up. But there's also something noble, hopefully, about being able to learn and being open. I used to always say, I prosecuted for years, there is a reason there's no statute of limitations on murder because it doesn't really matter when it's resolved. If you can resolve it, it still brings closure somewhere. Somehow. In the respect that there was a murderer, whether one would believe that this man was guilty of the murder of Mary Phagan or not, he was lynched and hung and murdered by people, none of who were ever identified and brought to any sort of justice, assuming justice at the time and place could have even been imposed. There was even no attempt. There is no statute of limitations on murder and whether it is some monstrous guard who is living under guise comfortably in Dearborn, Michigan, after murdering people in a concentration camp in Poland 50 or 60 years ago, or whether it's somebody in Marietta Georgia, who lynched and hung somebody illegally. Or any of the other unsolved, horrific killings, murders, and maimings, from missing children to unidentified folks on a railroad track late at night. You don't close the book on murders until they are solved because somewhere, somehow there's an open wound. There is a lesson to be learned, and there's a book to be closed.

BERMAN: With that, I thank you. This was wonderful. I appreciate it so much.

CLAY: My pleasure.

<End Tape 1, Side 1>

INTERVIEW ENDS