

dollar for the watchman and stuck an extra dollar in my envelope and that made \$3.75. I don't remember how many beers I drank Friday. Yes, I told Mr. Scott I got up at 9 o'clock that morning. That wasn't true. I ate breakfast about seven. Yes, I told Mr. Black I ate at 9:30. That wasn't true. I left my house between 7 and 7:30. I told Mr. Scott I left somewhere between 10 and 10:30. No, that wasn't true. I got to Peters Street about 25 minutes to 8. I don't know how long I stayed there. Some things in my affidavit that I made that are true. Yes, there are some things in my last affidavit that are true. I was arrested on the first of May. I sent for Mr. Black to come down when I made my first statement on May 18th. Yes, I denied I had been to the factory in that statement. I made that statement in the detectives' office. Mr. Black and Mr. Scott were present. They didn't question two or three hours. I did some writing before then, before that statement was made. Yes, I know I did some writing before May 18th. I did some writing in Chief's office that Sunday. I told Black I bought whiskey on Peters Street at about 10:30. I told them I paid forty cents for it. I don't remember telling them that I bought the whiskey at 11 o'clock. Yes, I told them I then went into the Butt-In Saloon after I went to Earley's for the whiskey. Some of it I told them was the truth and some of it wasn't. They asked me if I was lying and I held my head down. I held back some of the truth, and when they asked me if that was the truth I hung my head down. I didn't want to give the man away, but I wanted to tell some and let him see what I was going to do and see if he wasn't going to stick to his promise as he had said. I told them I went into Butt-In Saloon and saw some negroes at tables shooting dice and I won ninety cents and bought a glass of beer. I told them that I went to three beer saloons.

I told them after I went home at 2:30, I went to Joe Carr's saloon and got 15¢ worth of beer. I don't remember telling them that I went there between 3:30 and four o'clock. The detectives talked to me nearly every day after I made my first statement. Sometimes hours at a time. No, they didn't cuss me. Yes. I sent for Black on May 24th. When the statement came out in the papers that's the time I sent for him. As to how I knew it came out in the papers, I heard the boys across the street hollering extra papers. Mr. Black came down after I sent for him and I told him it's awful hot in here, and I told him I was going to tell him something, but I wasn't going to tell him all of it now. I told him that I would tell him part and hold back part. Scott and Black were both there. Yes, I told Mr. Black on May 24th, the time I made the second statement, that I helped tote the little girl. I sure remember that. I think I told them about Mr. Frank getting me to watch for him, that he told me he struck a girl and for me to go back and get her. I didn't give Mr. Frank clear away that time. I kept somethings back. I don't remember now whether I told them at that time or not. I don't know whether I told them about going down the basement or not. The first time I told them I wrote the notes on Friday. They didn't tell me my story wouldn't fit. I don't remember them telling me anything about changing my statement. I told them that was all I had to say. They never told me they wanted me to tell anything else. They didn't say anything to me that it didn't sound right. Mr. Black talked to me right smart and Mr. Lanford talked to me a little. No, they never talked to me a whole day. As to why I changed my statement from Friday to Saturday, I put it on Saturday, because I was at the factory on Saturday. As to why I didn't put myself there on Saturday, the blame would be put on me. I



didn't want them to know that I had written any notes for Mr. Frank. Yes, in that statement I told the officers I was going to tell the whole truth. I told them that I got up at nine o'clock because there was nothing doing at the factory that day at the time I said I was there at nine o'clock, because he had done told me where to meet him at. Yes. I told them that I was going to tell the whole truth. Yes, the reason I told them I left home at 9 or 9:30, because there was no anything doing at the factory at that time. I told them it was about 9 o'clock when I looked at the clock, because I don't know what time it was when I looked at the clock, and I told them I had some steak and some sausage for breakfast and a piece of liver and I drank some tea and bread. Well, there was some sausage, but I don't know whether I ate it or not. Yes, I had steak, liver and sausage for breakfast. I know I ate the steak and a piece of liver, and drank a cup of tea and ate some bread. I got up that morning at six o'clock. Yes, I told the officers I got up at 9 or 9:30. I don't remember anything else I told them. Yes, I told them that I went straight to Peters Street and went in the first beer saloon there, and drank two beers and gave a fellow a beer, that had a whip around his neck. I told them three saloons and I called two names. I don't know whether I told them about this whiskey or not. I told them I bought it between 10 and 10:30. No, that is not true. I told them that on account of my saying I didn't leave home until about 9 or 9:30. I bought it about a quarter to eight. The reason I told these lies about the time was because I didn't want to put myself at the factory twice, because there wasn't anything doing at the factory that morning. That is the only reason I told that story. I don't know when the first time was I told them I got there at 8 o'clock instead of 10 or half past, it was after I got out of jail up there. I guess I made most of these changes after I got

out of jail. I don't know who the detective was I told about my not leaving home at 9 o'clock. Four of them were talking to me, all at the same time. I think it was Starnes and Campbell that I told that to, about changing the time. I don't remember whether I told them then that I was going to tell the whole truth. I told them that after I got out of jail, after I got back to headquarters. If you tell a story you know you've got to change it. A lie won't work, and you know you've got to tell the whole truth. Yes, I knew it was bound to come when I told it the first time. I didn't tell the whole truth then, because I didn't want to give the whole thing away then. In the statement where I told about my moving the little girl for Mr. Frank, the reason why I didn't correct it then about the time I bought the liquor, I don't know whether I did it then or not, but I did tell them. I told them I drank four or five beers that morning. I told them at the first saloon I bought two beers. I didn't tell them I bought any wine at that time. I told them I had some wine put in my beer. What they call wine. It wasn't any wine though. I don't know whether I told them that in the statement I made about moving the little girl or not. The wine was put in my beer at Mr. Earl's beer saloon on Saturday morning. I told that to Mr. Black and Mr. Scott, I don't remember when. As to my not testifying about that yesterday, you didn't ask me that. I remember telling you that yesterday. I remember saying I didn't buy any wine. No, I didn't say anything about putting beer in wine yesterday, but I remember I said something about putting wine in beer. I know I told you that yesterday. I don't remember telling them I started straight from Peters Street to Capital City Laundry. I told them I started for the Laundry after leaving Mr. Frank at the factory. If they have got it down there, I must have said so. I don't remember saying it. I told them I met Mr. Frank at

the corner of Nelson and Forsyth Street before I went to the factory. Yes, I told them I went from Peters Street and met him at the corner of Nelson and Forsyth before I went to the factory. As to why I told them that story, because I did meet him there. No, I didn't go straight from Peters Street to meet him at the corner of Nelson and Forsyth as I told them. I went straight from Peters street to the pencil factory. I don't remember when the first time I told the truth about it. I told it either to Mr. Starnes, Mr. Campbell, Mr. Black or Mr. Scott. I told it after I got out of jail, I remember telling the officers when he said "Ah , ha" when I met him at the corner. I don't remember telling the officers that he asked me where I was going and I told him I was going to the Capital City Laundry to see my mother. I don't remember saying that to the officers. If I did say that it was not the truth. As to why I lied about that, because I did tell Mr. Frank down there when I left the factory that I was going to see my mother. I told the officers he stayed at Montag's about twenty minutes. I did tell you yesterday that I didn't have any idea how long he stayed there, because I haven't any idea now. As to why I didn't say yesterday that it was twenty minutes, because you didn't ask me. I didn't tell Mr. Dorsey how long it was, because he didn't ask me what I told the detectives about it, but I told the detectives that. I told them that story because I didn't have any idea how long he stayed there. I don't know how long Mr. Frank stayed there. I told the officers twenty minutes as that was the best I could do about it, so I just told him twenty minutes. I told the detectives about wanting me to watch for him when I got back to the factory. I don't know why I didn't tell them that at the time I told them about moving the body. I don't remember who I told it to or when, but I told them. I did tell them about

Mr. Frank stomping his foot. I don't know whether I told them at the time I told about helping move the body. I told it to Mr. Scott, Mr. Black, Mr. Campbell, Mr. Starnes and Mr. Dorsey. Mr. Starnes and Mr. Campbell wasn't in there sometimes when I told it. No, I didn't tell it to Mr. Scott and Mr. Black. They dropped the case and Mr. Starnes and Mr. Campbell taken it up. They came down and was talking to me for a month or more in my cell. Yes, I told Mr. Black about Frank stomping his foot and Mr. Scott. I told them all about it. Yes, I told the detectives that the first party I saw going up the factory after I got back from Montag's was Miss Mattie Smith. That was a mistake. I didn't see Mr. Darley go up after I got back from Montag's. No, I didn't say yesterday that I saw him go up after I got back from Montag's. I don't know whether Mr. Darley saw me or not. I was sitting right there at the box. He could have seen me if he had looked, so could Miss Mattie Smith. The rest of them could have seen me if they had looked. Yes, I told the officers the first time I saw them go up was after I got back from Montag's. That was not so. I was just mistaken about it. Don't know when I corrected the mistake or to whom. Yes, I stated it to Mr. Dorsey. It was after I came from jail. I have corrected it to Mr. Starnes and Mr. Campbell too. It was about 11:30 when Mr. Darley left the factory, right after we got back from Montag's. It may have been about 11 o'clock. Miss Mattie Smith left the factory somewhere about 9:30. It was after we got back from Montag's that I saw Mr. Darley leave. Mr. Holloway and the pg-legged negro went upstairs and came down before Mr. Darley left the factory. They could have seen me sitting on the box, as they came out the factory. Mr. Holloway left about 10 or 15 minutes after Mr. Darley left. It may have been

four or five minutes. After Mr. Holloway left, I told them Mr. Quinn came in. I may have told them that a lady dressed in green was the next one. That wasn't true. A lady in green did go up before Mr. Darley came down. She came down before Holloway and Darley left. If I told the officers that she went up after they left, I made a mistake. Mr. Quinn was the next man that went up after Mr. Holloway came down. Yes, I said that yesterday. Yes, I said yesterday Mr. Quinn was the last man I saw come down. No, I didn't say yesterday Miss Monteen Stover came down after Mr. Quinn came down. I might have told the officers that I saw Mr. Holloway return upstairs, turn to the right toward Hunter Street and go in the factory. If I did, I made a mistake. I don't remember all the mistakes I made. No, I have never told about a lady going up there after them six or seven minutes, I was mistaken. I don't know whether I have ever corrected that mistake or not. She went upstairs and Mr. Quinn went up and came down before she did. If I told the officers she stayed there 7 or 8 minutes and came right down, I made a mistake. I don't think I corrected that mistake at all. I don't know how long it was after she came down before anybody else went up and down. If I told the officers it was 10 or 15 minutes that was a mistake. I don't think I corrected that mistake at all. I haven't got any idea at all how long before the lady in green came down that anybody else went up. Yes, I told Mr. Scott and Mr. Black that the only people who went up at all were Miss Mattie Smith, Darley, Holloway and the woman in green, and nobody went up and down until Mr. Frank whistled. No, that wasn't true. The reason why I told that story was because I didn't want them to know that these other people passed by me, for they might accuse me. The reason why I didn't tell them was because I didn't want people to think that I was the one



that ~~done~~ the murder. I told them that I saw those four men go up because I didn't think they saw me sitting there, and I didn't tell of seeing the other people for fear they would report on me. The reason why I told the police about those four going up there, because that was all I could remember that went up and down. I don't know when my memory got fresher about other people going up and down. I think it was after I got out of jail. I think I corrected that with Mr. Starnes, Mr. Campbell and Mr. Dorsey, at police headquarters. After I corrected with the detectives down at headquarters, they took me to Mr. Dorsey's office. I have been in Mr. Dorsey's office three times. Mr. Dorsey was down at headquarters with me I think about four times. As to whether it took Mr. Dorsey about seven times to get my testimony straight, it didn't take him that long to get it straight, it took that long for me. As to why I didn't tell it all, I didn't want to tell it all. I was intending to hold back some. I didn't want to tell it all right at one time. I just told a little and kept back a little. Yes, and Mr. Dorsey went down seven times while I was telling some and holding back some. They didn't ask me to take back any stories. No, it didn't ~~every time he went down~~ take Mr. Dorsey seven times to tell the story. Yes, I said I added to it every time he went down. But he wouldn't come back and try to do anything with it. I didn't tell the officers that I went to a moving picture show after I left the factory. I said I looked at the pictures from the outside. I told them I went on Peters Street and looked at the pictures from the outside. I stayed there about ten or fifteen minutes. I drank two glasses of beer. I don't know whether it was in the first, second or third statement that I told about watching for Mr. Frank. Two or the detectives were there. Yes, I locked the front door that Saturday of the murder. I don't know what

time. It was somewhere after dinner. I can't give you any estimate. It was later than 12 o'clock. It wasn't one o'clock, because it was four minutes to one ~~o'clock~~ *after I went upstairs and* came downstairs and unlocked the door. Yes, I heard the stamping before I locked the door, and I heard the scream before I heard the stamping. After he stamped for me I went and locked the door. I couldn't tell to save my life how long the door stayed locked. I was upstairs between the time I locked the door and the time I went down and unlocked it. I unlocked the door before I went upstairs. I locked the door when he stamped and I unlocked it when he whistled. As soon as he whistled I unlocked the door and went upstairs. ~~All the time I was upstairs the door was unlocked.~~ Mr. Frank sent me back in the metal department. He wouldn't go back there with me. When he whistled that was the signal for me to unlock the door and the stamping was for me to unlock the door. He showed me how to lock the door that day. He showed me how to lock the door on Thanksgiving Day too. I don't know how he came to show it to me again. I guess he thought I forgot it. When I went down to leave the doors were unlocked, both doors were unlocked. The only thing I remember Mr. Frank telling me was not to let Mr. Darley see me around the door, that a young lady would be up there after awhile to chat, and he wanted me to watch for him. No, he didn't tell me what he wanted me to meet him at Nelson and Forsyth Street for. Yes, I could have come back to the factory just as well as going to meet him at Nelson and Forsyth Street if he had told me that. I don't know why he told me to meet him at Nelson and Forsyth. I don't remember telling the officers that I met him accidentally at Nelson and Forsyth Street. Mr. Frank stayed at Montag's about an hour. Mr. Frank went to Montag's between 10 and 10:30 and stayed about an hour. I guess it was about a half an hour. Mr. Frank didn't say a thing about why he wanted me

at the corner of Nelson and Forsyth Street. Before we went to Montag's he said he didn't want me to say anything to Mr. Darley that there was going to be a young lady there after a while, and he told me that again after we came back from Montag's. Mr. Frank gave me that signal about stamping and whistling on Thanksgiving Day and he repeated it again that day. I told yesterday how he done it, like I am telling now. I think I am telling the truth now. We had been back from Montag's about five minutes when the lady in the green dress went up. She stayed up there a good little while, ten or fifteen minutes. I didn't tell the officers the peg-legged negro went up first. I didn't tell them in the first statement. I may have told them in the next statement. The peg-legged negro didn't stay up -- stairs no time. Came back down with Mr. Holloway. Mr. Darley came down five or ten minutes after Mr. Holloway came down. Yes, that was after he came back from Montag's. I have no idea what time it was. After Holloway came down, the lady with the green dress came down. She went on out and Mr. Quinn came in. He went up and came down before Monteen Stover came in and before Mary Phagan came in. Yes, I am certain of that. No one else came in after Mr. Quinn except Mary Phagan. Mr. Quinn, Monteen Stover and Mary Phagan went in almost the same time. They went and came out almost together. Quinn first, Mary Phagan next and Monteen Stover next. Mr. Quinn had already come out of the factory when Mary Phagan went up. I didn't see Mrs. Barrett, or Miss Cornithia Hall or Miss Hattie Hall or Alonzo Mann, or Emma Clarke. I didn't see none of them. I never saw Mrs. White go in there at all that day. I was sitting on the box all the time. I got up twice to make water. I made water against the elevator door, right in front of the elevator shaft. Miss Stover had done gone then, and Mr. Quinn also. I

went to sleep after Miss Monteen Stover came down. The  
~~doors and windows were unlocked while I was asleep.~~ Don't  
know how long I was asleep, maybe ten or fifteen minutes. I  
heard the scream before I went to sleep, before Monteen Stover  
ever went in there. Mr. Quinn had already gone. I told the  
officers I didn't see Mary Phagan go up at all. I didn't  
tell them I heard any scream. I don't know when I first told  
that story. I told Mr. Starnes and Mr. Campbell. That was  
after I got out of jail. I said I heard the scream before I  
went to sleep, which I did. Monteen Stover came up and went  
down before I went to sleep. I told Mr. Starnes and Mr. Camp-  
bell about somebody running back on tiptoes. I don't know when  
I told them. He woke me up stamping, then I locked the door,  
and went to the box and kicked on the side of the elevator door.  
It was about ten or fifteen minutes after he stamped that I  
heard him whistle. When he whistled I unlocked the door. I  
don't know when I first told about Mr. Frank standing at the  
top of the stairs, trembling and nervous. I told  
Mr. Dorsey, Mr. Starnes and Campbell. I don't know why I  
didn't tell it the day I told them I was going to tell the whole  
truth. I didn't mean to keep back anything then. That day I  
told them everything I remembered. When I got to the top of  
the stairs, Mr. Frank had that cord in his hands. I don't re-  
member when I first told about that. If I didn't tell it that  
day when I said I was telling the whole truth, I just didn't  
remember it. When I told Black and Scott that I was telling the  
whole truth I didn't say anything about Mr. Frank having hit  
the little girl. I thought I had told them that. I have told  
that to some of the officers. I remember now that I told them  
that. He told me to get her out of there some way or other.  
He didn't say she was dead. I didn't know she was dead. I went

back there and found a cord around her neck. When I looked at the clock it was four minutes to one. That was after I went and seen the girl was dead, and he told me to bring her up there. I was standing at the steps, I could see the clock from there. Then I went back and got a piece of striped bed tick, something like your shirt there, had whitish looking stripes on it. I taken the cloth and spread it down and rolled the little girl in the cloth and tied it up. When I laid her down in the cloth, I tied the cloth around her. I did my best. Her feet were hanging out of the cloth, also her head. If I didn't tell Black and Scott anything about the hat and the slippers and the ribbon, they must not have asked me. I know I took the things and pitched them in front of the boiler. The elevator don't hit hard when it hits the ground. The wheels at the top don't make any noise. The motor makes a little noise, something like a June bug. The elevator hits the dirt at the bottom, but it don't make any noise. I left the factory about 1:30. The reason why I didn't tell Scott and Black I wrote four notes instead of two, they didn't ask me how many I wrote. Another reason why is, because Mr. Frank taken that and folded it up like he wasn't going to use it. I wrote three notes on white and one on green paper. The green one is the one he folded up like he wasn't going to use it. I don't know how long it took me to write those notes. It took me somewhere about two minutes and a half, I reckon. The reason I didn't tell Scott and Black about burning the body, because someone had done taken them off the case. Mr. Scott told me. The first time I told that was to Mr. Starnes and Mr. Campbell after I came back from jail. I don't remember telling the officers that Mr. Frank told me he was going to send those notes to his folks up North. If they have got it down there I must have said so. He told me he was going



to write to his mother and tell her that I was a good negro. The reason I didn't take the parasol down with the shoes, it was too far back for me to see it. I got my hair cut last week. My lawyer sent ~~the~~ barber. They gave me a bath and bought me clean clothes. My wife gave me my shirt. I didn't read any newspapers on Monday about this crime. It don't do me no good because I can't make any out. I didn't try to read any that day. I washed that shirt on Thursday, May 1st, in the metal room about half past one or two. As to how that dung came to be in the elevator shaft, when Mr. Frank had explained to me where he wanted to meet me and just as I started out of the place that negro drayman came in there with a sack of hay and I gave him a drink of whiskey that I bought at Earley's saloon on Peters Street that morning, and he suggested that I go down in the basement and do it, there's a light down there, and I went down the ladder and stopped right by the side of the elevator, in front of the elevator, somewhere about the edges of it. No, I didn't see the two white men go up and talk to Mr. Frank in his office that day. No, I didn't see a man by the name of Mincey at the corner of Carter and Electric Avenue that day. I didn't tell him that I killed a girl that day. I didn't say I killed one today and I didn't want to kill another. I didn't tell Harlee Branch that Mary Phagan was murdered in the toilet room on the second floor, or that the body was stiff when I got back there, or that it took at least thirty minutes to get the body downstairs and write the notes. I don't remember telling Miss Carson on May 1st, that Mr. Frank was innocent. I didn't have any conversation with Miss Mary Pirk on April 28th and she didn't say that I committed the crime and I didn't shoot out of the room immediately after she said that I didn't tell

Mill Carson on Monday that I was drunk all day Saturday. I didn't see her at all on Monday. I didn't tell Mr. Herbert Schiff on Monday that I was afraid to go on the street, that I would give a million dollars if I was a white man. I said if I was a white man I would go on out. I didn't say nothing about no million dollars because I don't know what it takes to make a million. I didn't ask Miss Small on Monday what the extra had in it and I didn't say Mr. Frank is just as innocent as you are. I didn't ask Miss Fuss on Wednesday for an extra. I didn't tell her that I thought Mr. Frank was as innocent as the angels in heaven.

RE-DIRECT EXAMINATION.

I never was in jail until April 26th. I have been down at police headquarters several times. First time I was arrested was for throwing rocks. I was a small boy then. I was arrested another time for fighting black boys, then I was arrested about drinking and disorderly, and the last time I was arrested was

about fighting again. I never have fought with a white man or white woman. *Police officers took me down to jail to the door where Mr. Frank was.* I never did see Mr. Frank in jail. The last time

I saw Mr. Frank was in the station house before I had talked. He looked at me and smiled and bowed his head. While I was writing the notes, Mr. Frank took the pencil out of my hand and told me to rub out that "s" I had down there on the word "negro."

I saw Mary Phagan's pocket book, or mesh bag in Mr. Frank's office after he got back from the basement. It was lying on his desk. He taken it and put it in the safe. When I went back to see about the girl, it wouldn't have taken more than about a minute to go down and lock and unlock the door. He had time enough to do it. Mr. Scott talked to me about three hours and a half one Thursday. Mr. Frank told me he would send me away from

here if they caught me. He would get me out on bond and send me away. I never saw Mincey before seeing him at the station house in Mr. Lanford's office. I had orders from Mr. Frank to write down how many boxes we needed and give it to him. I didn't tell Mr. Black or Mr. Scott about the mesh bag because they didn't ask me. I disremember when I first told about it. I think it was after I was in jail. I told Mr. Dorsey about it after I came out of jail. Mr. Frank knew for a whole year that I could write. I used to write for him the word "Luxury", "George Washington," Magnolia, Uncle Remus, "Thomas Jefferson." that's the name of pencils. I spell "Uncle Remus" "O-n-e R-i-n-e-s". I speall "Luxury" "L-u-s-t-r-i-s". I spell "Thomas Jefferson" "T-o-m- J-e-f-f or J-e-i-s-s." I speall "George Washington" J-o-e W-i-s-h-t-o-n" After Mr. Frank found out what I meant he understood it. I spell "ox" "o-x". Yes I wrote him orders to take money out of my wages. The pocket book was a wire looking whitish looking pocket book, had a chain to it. You could take it and fold it up and hold it in one hand. When I wrote the word "Luxury" and "Thomas Jefferson", I didn't have anything at all to copy from. I was writing it down for Mr. Frank.

MRS. J. A. WHITE, recalled for the State.

I have seen this man before at police headquarters (indicating Conley) about a month after the murder. At that time I did not identify him as being the man I saw sitting on the box. The man sitting on the box was about the same size as Jim Conley. I couldn't state it was Jim Conley. He was sitting in a dark place, and he looked black to me. He had on dark clothes. I don't know whether he was bareheaded or not. I told Bass Rosser about this on May 7th. That was the first time I told

CROSS EXAMINATION.

I told the detective about this as soon as I saw one. I never kept it a secret from anybody. I spoke to Mr. Wade Campbell about seeing the darkey. I didn't tell him that I saw the negro as I went up into the factory about 12 o'clock. I didn't tell him that, when I came down the steps the last time, I didn't see anybody.

C. W. MANGUM, Sworn for the State.

I had a conversation with Mr. Frank at the jail about seeing Conley and confronting him. Conley was on the fourth floor, Chief Beavers, Chief Lanford and Scott came down to see Mr. Frank with Conley and asked me if they could see him. I went to Frank and told him the men were therewith Conley and wanted to talk with him if he wanted to see them. He said, "No, my attorney is not here and I have nobody to defend me." He said his lawyer was not there; that no one was up there to listen at what might be said.

N. V. DARLEY, recalled for cross-examination.

On the ground floor the door to the Clark Woodenware Company was nailed up immediately after that Company left there. We found it broken open after the murder and we nailed it up again. It was two or three days after the murder. Sitting at Mr. Frank's desk, the most that one can see is about half of clock #2, which is on the left of clock #1. If the safe door was open in the outer office, you have no view into Mr. Frank's office from the outside. You might tiptoe and look over the door. A man of my height could just tiptoe and see over it. The packing room next to Mr. Frank's office works from 11 to 17 ladies and men. Passing by the elevator shaft as you go in the building on ground floor, you come to a door to Clark Woodenware Company's place, which was nailed up immediately after that Company left there. We found it broken open after the murder. I don't know what day, it must have been two or three days after, and we nailed it up again. (Witness identifies various portions of factory from the factory model (Deft's Exhibit 4). There is no



lounge, sofa, cot or bed in the whole factory. I found two boxes down in the basement in Clark Woodenware side of old dirty, rotten stuff, too dirty and rotten for a human being to rest upon. It's boggy in there. They had on top of them some dirty, filthy, nasty crocus sacks. There is no lojnge, bed, sofa or anything of the sort in the metal room. I have never seen a chair in there. I have never seen any blood under the machine that Barrett claims he found hair on. I never saw any blood on the place the negro claims the little girl's body was lying. You can get into the metal room either from the front or the back if the back door is open. You can lock the back door from the inside. There is a cross bar across the door. The rule was to keep it locked, but a great many times I found it unlocked. It was very dark around the elevator on the first floor on April 26th. It was a cloudy day and darker than usual because the front doors were closed. It's too dark to stand on the outside and see through the elevator. I left the factory with Mr. Frank on his way to Montag Brothers. I never saw Jim Conley that day. I never saw Mr. Frank talk to him or speak to him or come into contact with him in any way that day. I have never goosed or pinched Jim Conley or jolli ed with him. I kicked him when I caught him loafing, and sometimes I would take a piece of board to him and he would laugh ever' time I hid it. I have never seen Mr. Frank goose or pinch him or play with him or jolly him. No, I never knew Daisy Hopkins. I have never seen Dalton until this morning. From June 1912, until January 1913, I left the factory at twelve o'clock on Saturdays, and usually came back between five and six. I did that most every Saturday during the two years that I have been there.

~~may have~~ sion do I recall that Mr. Frank said he would not be there on



Saturday afternoon. I would visit the factory every Saturday afternoon between five and six to find out how the financial was for the week. I found Mr. Frank in his office on every occasion except the one I have mentioned above. Mr. Schiff would help him on the financial. A few Saturdays I have gone there and Mr. Schiff was not there. He may have been on his vacation. I here and discharge all the help. I come in contact with the help ninety per cent. more than Mr. Frank. Mr. Frank has nothing to do with employing or discharging them. On Saturdays, Holloway is supposed to leave the factory at four o'clock and the night watchman comes on. We had no negro night watchman there last September as stated by Mr. Dalton. Our night watchman was Mr. Kendricks, a white man. The first time we ever hired a negro night watchman was three weeks before the murder. As to who else stayed at the factory on Saturday afternoons, usually the office boy, sometimes the stenographer, Walter Pride, who cleans up the third floor, I have never known of any other time but Saturday that the financial sheet was worked on, except possibly a holiday. I saw Conley on Monday. He looked to be excited and when I spoke to him he failed to look up as he usually does. I went around the factory that morning and looked at everybody to see if I could pick out a man that looked suspicious, and Jim Conley was the man I thought looked most suspicious. The latter part of last year I issued orders that the sweepers must stop cleaning up by twelve o'clock and if they hadn't cleaned up by that time they would have to knock off and leave the factory. If they stayed there after twelve o'clock I didn't know anything about it. Harry Denham usually stayed in ~~the~~ ~~every other Saturday~~ ~~on to~~ ~~for~~ and oil the machinery and he selected someone to stay with him.

He would do this about twice a month. The girls in the packing department did quite some overtime work on Saturday afternoon.

RE-DIRECT EXAMINATION.

I have made no contribution toward the fund to defend Frank. I don't know anything about Diasy Hopkins' general character. I don't know who nailed up the door on the Clarke Woodenware side. Lots of people have been there all over the factory. If a body had been shot down the chute, behind those boxes, it would have been hidden more than where it was found. The boxes around the chute are piled nearly to the top. I never noticed any difference in the boxes Sunday from what I left them there Saturday. No, I don't know anything about Conley being there Saturday afternoons and watching. He wasn't there by my instructions. There is a good deal of water on the floor in the metal room. On pay day in order to keep the people from coming down the back, the instructions are always to close the back door to the metal room. There is no special reason for the paint to go out of the polishing room, but it is out in other places. It is carelessly done. You can see haskoline scattered around. The floor in metal room where body is supposed to have been found has a rise of several inches in it, something like an edge. As to whether a man standing up and looking over the safe door hasn't got a vision going beyond the clock so that he could see everybody that registered, he couldn't see it. I tried it. I don't know whether either the clock or the desk had been moved before I went to see. My recollection is that the table is nailed to the wall and the clock screwed to the table. You can tear the whole thing up and move it. The desk could not be moved without my knowing it. I didn't have the clock fixed after April 26th.

RE-CROSS EXAMINATION.

On Friday last, I made an experiment by sitting

at the desk and leaned over as far as I could to see through

the outer door towards the clock. I could see half of the circles on clock #2. I could not see any of the other clock at all. The clock and desk could not have been moved without my instructions. The paint is scattered all around. It gets all over the place and we can't prevent it. We never have washed the metal room floor since I have been there. We never found any water or blood where it was said the girl's body was found in the metal department. The view I got from front door on April 26th, into area around elevator shaft was blocked by boxes.

RE-DIRECT EXAMINATION.

I communicated immediately with the police when we found the blood back there. I think Harry Scott was the first man I reported Conley's nervousness to. It was on Monday, April 28th.

*to you*  
E. F. HOLLOWAY, Recalled for cross examination,

I am the day watchman and time keeper. I look after the register to see that everybody registers. No, it was not the habit of Conley to register or not as he pleased and to get his pay anyhow. If he didn't register I always got after him. I applied the same rule to him as I did to anybody else. I never saw Mr. Frank goose, pinch, or joke with Conley. I never saw him touch him in any way, unless it was when he would go in the office to borrow money, I would see him hand him a quarter or something. He surely was a good hand at borrowing, but Mr. Frank would never let him have a nickel, but what he owed him. Up till twelve months ago the sweepers stayed at the factory until about 12:30, but then they made a rule that any sweeping that wasn't done by noon on Saturday would have to go over until Monday and since that time no negroes have been there since 12 o'clock. He never had any negro night watchman in July, August, September, or any time last Fall. We never had a negro night watchman until we hired Lee, which was about 3 weeks before the murder. Since June of last year, on Saturday afternoons,

I always stayed around the factory and looked after seeing that nobody came in or out, unless they had business. I never have seen anybody goose Conley. Sometimes I would kick him to make him go on to his work. The door that leads to the Clark Woodenware place never was locked. It was nailed up when the Clark Woodenware moved out of there. I nailed it up myself. It was open on the Monday after the murder. It lead back to a chute in the rear, and to two water closets on the right. Nobody occupies that now, I was at the factory every Saturday since last June excepting legal holidays when the factory was shut down. I did not miss a single Saturday in July, August, September, October, November, December, and January, excepting legal holidays, On Thanksgiving day I stayed there until 12 or one o'clock. I have never missed a Saturday since I have been working at the factory. I would be relieved on Saturdays at 4:30 p.m. I would go all over the building trying to see that everything is all right. That was my business. I have never known Mr. Frank to have any woman on Saturdays excepting his wife. She came there on Saturdays and went home with him, about once a month. Mr. Schiff helped Mr. Frank on his books on Saturdays. Conley never did watch the door downstairs. If he did, it must have been after 4:30 p.m. I never did see him giving signals to Mr. Frank and Frank giving him



Signals from upstairs. I was obliged to have seen them if he had watched the door. I sat mainly in the front of the building ~~me~~ to see that nobody came in the building. I do not recall any Saturday afternoon that Frank and Schiff missed except when Schiff was off on his vacation. I have never seen any of them bring any women in there or take any out. I have never been sick or missed a single Saturday since last year. I would leave about 4:30 Saturday afternoon. I have never seen Dalton in the factory at all. I wouldn't have let a fellow like that in the building unless I knew what his business was. There was nobody practicing any immoralities in the building. If they did I would know it. I would have put them out quickly. Daisy Hopkins quit sometime in May or June last Spring. She has never been there since she quit. Mr. Darley left the factory between 9 and 10 o'clock on April 26th. He was not there after 11 o'clock at all. If he was, he was there after 11:45, the time I left there. I have never seen the front doors locked on Saturday. I was at the factory until noon on Thanksgiving Day. I saw no girls with white shoes and stockings there that day. I never saw Jim Conley that day. I never saw any woman at the factory that day. I sure would have seen Conley if he had been watching the door that day. I have seen Mr. Frank at the factory every Saturday afternoon after he comes back from lunch. I would pass in and out of his office three and four times in the afternoon. I have never seen a glass of beer as long as I have been there. I have never seen any women up there. He would be working on his books. Mr. Schiff would be helping him. The stenographer and shipping clerk would sometimes be up there. People would be liable to drop in there on business and I would send them up to Mr. Frank's office. I always kept the door on Saturdays. ~~It was never over to Conley or anybody else.~~ I have let Mrs. Frank in and would tell her to go up in the office and have a seat.



This man Wilson worked on Saturday afternoon most all the time. Oiled up the motor and cleaned it while the factory was closed. Pride, Harry Denham, Charlie Lee, and Fast usually worked there on Saturday oiling the machinery after they shut down and different things. They were not shut off by any doors from going anywhere they wanted in the factory. They were liable to come down and around ~~any~~ any time. I have never seen the doors either to the outer or the inner office of Mr. Frank locked. They have got glass fronts in them that you can see through, and it would not have done any good to have shut them. The windows in Mr. Frank's office looked right out on Forsyth Street. The shades to them are torn up and they don't amount to much. In the morning they will pull them down to keep the sun out. When they are up you can see across the street. Salesmen frequently visited Frank on Saturday afternoons when they came in from their runs without any announcement. I have never known Mr. Frank to refuse to see any of them. It is very dark about the elevator shaft on the ground floor. The shaft is about ten or twelve feet from the steps. If a girl was coming down the steps and a man was in that dark place it would be a very easy job for him to throw her down the ~~shaft~~ shaft. He could grab her before she ever saw him because she would be looking toward the door. The members of the firm of Montag Bros. frequently visited the factory on Saturday afternoons. I remember seeing Drayman McCrary on April 26th. He came around to see if there was any hauling. I don't remember the time. I never saw Conley on April 26th. If he was there he was skulking around and hiding. I never saw McCrary talking to him that day. On Monday morning I saw Conley, instead of being upstairs where he ought to be sweeping, he was down in the shipping room watching the detectives and reporters. I caught him ~~washing~~ washing his shirt. Looked

like he tried to hide it from me. I picked it up and looked at it carefully and it looked like he didn't want me to look at it at all. The day before that he went out with a pair of overalls corresponding to this blue shirt that he has, and he said he wanted to carry them to a negro at Block's candy factory and he had not had time to have gone to the candy factory before he came back and said that they were taking stock over there and would not let him in. The overalls have been washed and dried and I could not tell if there is anything on them or not. I don't know whether he can write or not. At your request today I walked from the middle of the cartrack at the corner of Broad and Hunter to the pencil factory and then upstairs in Mr. Frank's office. I walked just in an ordinary way like I thought a lady would walk. It took me two and a half minutes. I walked from the corner of Marietta St. and Forsyth St. to the pencil factory. It took me six minutes.

RE-DIRECT EXAMINATION.

I didn't have any conversation with Kendrick, the night watchman since this murder was committed as to whether or not Frank ever called him after he left the factory that night. No, I did not try to get Kendrick to swear that. No, I didn't tell Whitfield the day before they turned up that big club "Be sure to come back tomorrow, you will be certain to find something." So far as I know the general character of Daisy Hopkins is good. I don't remember telling you the contrary. I don't deny signing that affidavit.

(Ex. "I"-State). I don't remember telling you in this paper (State Ex. "I") "she is anything but a nice girl - you can't depend on what she says. Yes, I said it in the affidavit I gave it was 10:45 when Mr. Frank and Mr. Darley left. Mr. Frank got back about 11 o'clock. That was all guess work about the time they left. I never said anything about getting the re-

ward for Jim Goulet. I'd seen of the days after they came down after the negro, if this negro is

convicted he is my negro. I knew about the reward being offered. If I told you that I sometimes left the factory at three o'clock I meant four o'clock. Jim Conley worked regularly at the factory except when he was in the stockade thirty days. Conley registered every morning, but a lots of times he would not register at dinner and sometimes at night. I nailed up the door that leads into the Clarke Wooden Ware place on Monday because we never let that door stand open. Mr. Darley told me to do it. I know it was not open on Saturday. It was nailed up Saturday noon when I left there and it was open Monday when I got there. The chutes back there were nailed up. The one next to the rear end of the building I know was nailed up to keep the Clarke Wooden Ware people from coming up through there. Boxes were piled up back in there. That stairway back there has been nailed up for some time. Hasn't been used since Christmas. If the negro went out and bought beer I didn't know it. I never saw him. I don't recollect whether the drayman was up there April 26th to get his pay or not. There was so much excitement in the factory on Monday that we shut down about 9:30. Nobody stayed at their work. Jim Conley quit work like everybody else and went out. As to one thing that Conley did that the others didn't do I haven't got any. The short he was washing was the same short he has been wearing all day. I say that he was trying to hide the shirt because he was trying to push it over behind the pipe where you couldn't see it. He had the shirt on when he was arrested. He was not trying to hide it then.

#### RE-CROSS EXAMINATION.

I was subpoenaed to Mr. Dorsey's office by regular court subpoenas. I thought I had to go there. There were three or four men when I got there.

GEORGE EPPE, re-called for Cross Examination.

I was present on Sunday after the murder when a gentleman came out to the house and talked to me and my sister about when was the last time we had seen Mary Phagan. He didn't ask me, he asked my sister. I wasn't there. I was in the house. I didn't hear him ask my sister that.

HARRY SCOTT, Re-called for State.

It took Jim Conley two or three minutes to write out the notes that I dictated to him.

CROSS EXAMINATION.

I knew on Monday that Mrs. White claimed she saw a darkey at the pencil factory. I gave that information to the police department. Mr. Frank gave me the information when I first talked to him. I never inquired of Frank or any of the pencil factory people if Conley could write, Sunday May 18th. I was present when Conley made his statement, May 18th. I wrote it out myself. (Defendant's Exhibit 36) He made no further statement on that day. He stated that he did not go to the pencil factory at all that day. At that time I knew he could write. He told me everything that was in that statement. The information that Conley could write came from the pencil factory on May 18th. On May 18th I dictated to Conley these words: "That long tall black negro did by himself." I dictated each word singly and I should judge it took him more than six or seven minutes to write it. He writes quite slowly. When he was brought before Mrs. White to see if she could identify him he was chewing his lips and twirling a cigarette in his fingers. He didn't seem to know how to hold on to it. He could not keep feet still. He positively denied on May 18th that he had anything to do with the murder of Mary Phagan and that he was at the factory at all. We talked very strongly to him and tried to



make him give a confession. We used a little profanity and cussed him. He made that statement after he knew that I knew he could write. We had him for about two or three hours that day. He made another statement on May 24<sup>th</sup> which was put in writing. (Defendant's Exhibit 37.) He was carried to Mr. Dorsey's office that day and went over the statement with Mr. Dorsey. He still denied that he had seen the little girl the day of the murder. He swore to all that the statement contains. That statement was a voluntary statement from him. He sent for Mr. Black and we went there together. We questioned him again very closely for about three hours on May 25<sup>th</sup>. He repeated the story that he told in his statement of May 24<sup>th</sup>. We saw him again on May 27<sup>th</sup> in Chief Lanford's office. Talked to him about five or six hours. We tried to impress him with the fact that Frank would not have written those notes on Friday. That that was not a reasonable story. That showed premeditation and that would not do. We pointed out to him why the first statement would not fit. We told him we wanted another statement. He declined to make another statement. He said he had told the truth. On May 28<sup>th</sup> Chief Lanford and I grilled him for five or six hours again, endeavoring to make clear several points which were far fetched in his statement. We pointed out to him that his statement would not do and would not fit. He then made us another long statement on May 28<sup>th</sup> (Defendant's Exhibit 38), having been told that his previous statement showed deliberation; that that could not be accepted. He told us then all that appears in the statement of May 28<sup>th</sup>. He never told us anything about Mr. Frank making an engagement for him to stamp for him and for him to lock the door. He told us nothing about seeing Monteen Stover. He did not tell us about seeing Mary Phagan. He said he did not see her. He did not see Lemmie Quinn. Conley was a rather dirty negro when I first saw



5  
him. He looked pretty good when he testified here. Frank was arrested Tuesday morning at about 11:30; on May 29th, we had another talk with him. Talked with him almost all day. Yes, we pointed out things in his story that were improbable and told him he must do better than that. Anything in his story that looked to be out of place we told him wouldn't do. After he had made his last statement we didn't wish to make any further suggestion to him at that time. He then made his last statement on May 29th (Defendant's Ex. 39). He told us all that appears in that statement. We tried to get him to tell about the little mesh bag. We tried pretty strong. He always denied ever having seen it. He never said that he saw it in Frank's office or that Frank put it in his safe. We asked him about the parasol. He didn't tell us anything about it. He didn't tell us anything about Frank stumbling as he got on the street floor at the elevator and hit him. Since making this statement on May 29th I have not communicated with Conley and have not seen him. He never told us that he came from his home straight to the factory. He denied knowing anything about the fecal matter down in the basement in the elevator shaft. He never said he went down there himself between the time he first came to the factory and went to Montag's. He never said he thought the name of the little girl was Mary Perkins. He never said anything at all about Mary Perkins. We pressed him that day as to whether he saw Mary Phagan or not. He finally told us that he saw her dead body. He never did tell us that he heard a lady scream though we asked him about it. He said he did not hear anybody scream while he was sitting on the box. He said he didn't hear anything at all that day. He never said anything about Mr. Frank having hit her and having hit her so hard. He never said anything about somebody running on tip toes from the metal department and back ~~to the~~ ~~near~~ any stamping. He did not tell us anything about Mr. Frank tell

ing him how to lock the door. He did not tell us anything about Frank having a cord in his hand at the tip of the steps or that Frank looked funny about his eyes or that his face was red. He didn't tell us that he went back there and found the little girl with a rope around her neck and a piece of underclothing or that he went back to Mr. Frank and told him the girl was dead, or that he wrapped her in a piece of cloth. He said it was a crocus sack. He did not say anything about Mr. Frank saying "Sh-sh." He didn't say that he put the sack on his shoulder and that body dangled round about his legs. He said he never saw the ribbon; didn't know where it was. We asked him whether there was any thought of burning the body and he said not. He didn't know anything about that. He never said anything about his promising to come back and burn the body or that he said to Mr. Frank "You are a white man and done it and I am not going down there and burn it myself;" or that Mr. Frank had arranged to give his bond and send him away; or that Frank said he would have a place to get in by when he came back to burn the body, or said he owed a Jew ten cents a paid it. He did not tell us of any conversation he had with Mr. Frank on Tuesday after the murder in which Mr. Frank said "If you had come back on Saturday and done what I told you there wouldn't have been any trouble." As to the scene between Conley and me when I undertook to convince him that I knew he could write on Sunday May 18th, I called him up at Chief Lanford's office, gave him a paper and pencil and told him that we understood he said he couldn't write and now we knew he could write and we wanted him to write what we told him. He sat there and looked at us while we were talking and I told him to write as I dictated. ~~we convinced him that we knew he could write and then he wrote.~~ we convinced him that we knew he could write and then he wrote.

RE-DIRECT EXAMINATION.

I got information as to Conley writing through my operatives while I was out of town. McWorth told me when I returned. I got no information personally about Conley being able to write from the Pencil Company people. Personally I did not get information as to Conley's being able to write from Pencil Company. I got it from outside sources, wholly disconnected from the pencil company. AS to whom I first communicated anything about Mrs. White's statement about seeing a negro down there, my impression is I told it in my many conversations with Black, and Chief Lanford and Bass Rosser. Don't know the day. It was shortly after April 28th. After Conley made his last statement Chief Beavers, Lanford and I went to the jail with Conley and saw the Sheriff and he went to Frank's cell. The last time I saw Frank was Saturday, May 3rd. As to whether Mr. Frank refused to see me only through Sheriff Mangum, as to the number of matters I told Conley didn't fit the first time and those I told him didn't fit the last time, I could not name those, that would almost be impossible unless I had the statement clear in my head. I never suggested what to put in or what to substitute or what to change. That came from Conley himself.

THE STATE RESTS

EVIDENCE FOR THE DEFENDANT.

W. M. MATTHEWS, Sworn for the Defendant.

I work for the Georgia Railway & Electric Co. as a motor-man. On the 26th day of April I was running on English Avenue. Mary Phagan got on my car at Lindsey St. at 11:50. Our route was from Bellwood to English Avenue, down English Ave. to Kennedy, down Kennedy to Gray, Gray to Jones Ave, Jone Ave. to Marietta, Marietta to Broad, and out Broad St. From Lindsey Street to Broad is about a mile and a half to two miles. We make frequent stops. We were scheduled to arrive at Marietta and Broad 12:07½. We were on schedule. We stayed on time all day. Our car turned up Broad St. Mary Phagan got off at Hunter and Broad. It takes generally from two and a half ~~three~~ ~~four~~ and Marietta to Broad and Hunter. That is a very congested

street and you must go slow. I was relieved at Broad and Marietta by another motorman, but sat down in the same car one seat behind Mary Phagan. Another little girl was sitting in the seat with her. We got to Broad and Hunter about 12:10. Mary and the other little girl both got off and walked to the sidewalk and they wheeled like they were going to turn around on Hunter Street, both of them together. The pencil factory is about a block and a half from where they get off at Hunter and Broad. Nobody got on with Mary at Lindsey Street. There wasn't any little boy with her. The first time I noticed the little girl sitting with Mary was when we left Broad and Marietta Street and I went back into the car and saw this little girl sitting with her. I know the little Epps boy. I have seen him riding on my car. He did not get on the car with her at Lindsey Street. I saw Mary's body at the undertaker's. It was the same girl that got on my car.

#### CROSS EXAMINATION.

I did not tell one of the detectives that we might have been running three or four minutes ahead of schedule that day. I remember that Mary did not get off the car at Broad and Marietta because there was a street car conductor sitting behind me, and ex-conductor and he had a badge on his coat and I looked at it and it had a little girl's picture and I reached over to where Mary was and said, "Little Girl, here is your picture," and she said, "No, it is not." I don't know who the other little girl was sitting with her. The other little girl was dressed something like Mary. I didn't pay much attention to their dresses, but they looked sort of alike. Mary's dress wasn't black. It was light colored. I know Epps since this case came up. I could identify him. I never paid much attention to her hat. It  
that way.

RE-DIRECT EXAMINATION.

I identified Mary's body Sunday afternoon after the murder at the undertaker's. There was no doubt about her being the same girl. I knew her well by sight. She rode on my car lots.

Re-CROSS EXAMINATION.

I can't tell you whether that is the hat or not she wore.

W. T. HOLLIS, Sworn for the defendant.

I am a street car conductor. On the 26th of April I was on the English Avenue line. We ran on schedule that day. Mary Phagan got on at Lindsey Street at about 11:50. She is the same girl identified at the undertakers. She had been on my car frequently and I knew her well. No one else got on with her at Lindsey Street. Epps did not get on with her. I took up her fare on English Ave., several blocks from where she got on. And no one was sitting with her then. I do not recollect Epps getting on the car at all that morning. Don't know whether anybody else afterwards sat with Mary or not. We got to Broad and Marietta seven and a half minutes after twelve, schedule time. I was relieved at Forsyth and Marietta, <sup>Street,</sup> where I got off. Mary was still on the car when I got off. It takes two and a half minutes to run from Broad and Marietta to Broad and Hunter. I have timed the car again and again since then. I identified the little girl at the undertaker's Sunday afternoon. Didn't notice the color of her clothes.

CROSS EXAMINATION.

Mary rode with us two or three times a week. So did Epps. I don't know where he got off or where he got on. We are not supposed to come in ahead of time. We never come in two or three minutes ahead of time. We are a little late sometimes. I never noticed anybody sitting with Mary.



She was sitting by herself when I got her fare. There wasn't but two or three passengers on the car and I know there wasn't anybody sitting with her. If Epps was on the car I don't recollect it. I don't recall the name of any other passengers except Mary Phagan. As to what attracted my attention to Mary getting on the front end of the car, as a general rule when she would catch our car Mr. Matthews would say to her "You are late today" and sometimes she would come in and remark that she was mad; that she was late today and when she came that morning Mr. Matthews said to her "Are you mad today?" and she said "Yes, I am late." And sort of laughed and came on in the car and sat down. She usually caught our car when she came in the morning. The one due in town at 7:07. I didn't know Mary's name, I just recognized Mary's face as the little girl who traveled with us.

REDIRECT EXAMINATION.

I heard of the murder next day. Newspaper reporters asked us to go down and identify the girl. There was no doubt about her being the little girl who was on our car. Oliver Street is the next street to Lindsey. I did not see Epps get on at Oliver Street. It is against the rule of the company to get to the city ahead of time.

RE\*-CROSS EXAMINATION.

It is not against the rules to get in behind time. Sometimes we might get there a few minutes ahead of time, but hardly ever. We always look at our watches at the main destination, just as Broad and Marietta. We are supposed to do that.

HERBERT G. SCHIFF. Sworn for the defendant.

I am assistant superintendent of the National Pencil Co.; I have been with the company about five years. Part of my duties was to get up data for the financial sheet. I occupied the same

office as Mr. Frank. I took a trip on the road on the first Saturday in January. All of the Company's money except the petty cash was kept over at Montag Bros. office at the general manager's office, Mr. Sig Montag. All mail of the Company is received at Montag Bros. The men in Mr. Montag's office made the deposit of money of the Company. Mr. Frank and I handled <sup>only</sup> the petty cash ranging from \$25.00 to \$50.00. When we wanted money for the pay roll, we would get a check from Mr. Sig Montag who signed for the company. Mr. Frank and I had no authority to sign checks. I would go to the bank and get the money and we would go to work at once filling the pay envelopes. We would always draw the exact amount of the pay roll. Our petty cash amounted to from \$25 to \$50. We kept that on hand for items like drayage, kerosene, soap, candles. The money for the cash would also come from Mr. Montag's office. The salary of Mr. Frank and myself were paid by check, on the last of the month, or the first of the next month. Mr. Frank's salary was \$150 a month and my own \$80. Montag Bros. office is about four blocks from the factory. The company's bills were paid from Montag Bros.' office, where all the finances of the company were taken care of. We simply looked after the manufacturing end. The financial sheet which Mr. Frank and I worked on on Saturdays showed how our week terminates, whether at a profit or loss. We had to show what we manufactured, what we packed, the materials that were made to go on the pencils, covering lead, plugs, tips, boxes. We showed our shipments, what our average order jobs amounted to, what we purchased for and the price. Our factory week began on Friday night and went through Thursday night. In making up the financial sheet we would show it as ending on Thursday of every week. We couldn't make it up until Saturday afternoon because our reports very seldom came in before Friday noon and sometimes

Saturday morning and also our pay roll which showed on the financial sheet. These reports and the pay roll were necessary to make up the financial sheet. We paid off at Saturday noon. It has been our fixed custom ever since we have been in existence to make up the financial sheet on Saturday. I help Frank make out the financial sheet by getting up part of the data, getting up a sheet that we term the factory record, the number of pencils packed for the week, getting up the top records; I get the reports from the different foremen and foreladies; I get the slat records from the slat mills, the number of slats delivered to manufacture pencils with, and give him the totals of the pay roll. With the exception of the last week in July and the first week in August, I missed no time from the factory after June 1st, excepting my trip on the road during January. With that exception I have not missed a single Saturday after the first of June, 1912. I usually leave the factory at 12:30 and return at 2 to 2:15. Frank would leave a little after one and return about three. I do not recall a single Saturday that Frank returned earlier than I did. As soon as Frank would get back he would get to work on his part of the data and he would continue to finish the sheet. We both worked together. The street doors were always open. Office boy would be in the outer office. Frequently we were interrupted by salesmen calling on us Saturday afternoon. ~~XXXXXXXX~~ The stenographers came back very seldom on Saturday afternoon. We were liable to be interrupted at any time on Saturday afternoon by people on business. As to who else stayed at the factory on Saturday afternoon, Harry Denham usually, Walter Pride, Holloway, who would stay until 4:30. Newt Lee was the first nightwatchman we ever had. Frank and I usually left the factory at half past five or a quarter to six on Saturdays, usually 5:45.

often Mrs. Frank would come up to the office on Saturday. I never saw Conley around the office on Saturday afternoon after two o'clock. We never had any women up in the office. I never saw any there. There is not a bed, cot, lounge or sofa anywhere in the building. There is a dirty box with dirty crocus sacks on it in the basement on the Clarke Wooden Ware Company side. It is very filthy and dirty down there. X U I went on the road on the first Saturday in January, 1913. I got back to the factory that day about 2:15, in the afternoon. There were ten or twelve fellows there. Conley was not there. They were all there and told me goodbye, with the exception of two or three who accompanied me to the train, including Mr. Frank. There were no women at the factory. I have never seen Mr. Dalton in the factory in my life. Daisy Hopkins worked on the office floor. She left the factory June 6th, 1912, as appears on the time book. Never saw her in the factory after she quit work. On the first Saturday in January, Frank remained in the office with me until 5 o'clock to catch my train. I was at the factory last Thanksgiving Day. It was very cold and rainy. It was a holiday at the factory. The office boy and Conley were also there. I ordered Conley to come back that day to clean up the box room with Frank Payne, the office boy. Conley got through about half past ten. I know he did not stay at the factory until noon. Frank and I were all of the time in the office doing clerical work. Frank left that day at 12 o'clock. We left together. I saw Frank catch his car for home that day. Frank was carrying bundles, for the B'nai B'rith, which was going to have an affair that night. Mr. Frank is president of it. It is a charitable organization. It takes care of orphans and things of that sort.

I paid off the help on Friday, April 25th, from the pay window outside of the office. I remember paying off Helen Ferguson that day. Nobody came up to ask for Mary Phagan's pay. Before any one could get another's envelope, they have to have a note to that effect. There was no reason for anyone to go to Mr. Frank to get their pay Friday, April 25, I was at the window paying off employees. We had posters put up all over the factory announcing that Saturday would be a legal holiday and that the factory would be closed. Those who would not call for their pay would frequently come in on the next working day, which in this instance would be Monday. No one could really know whether anyone was coming in for their pay on Saturday or not. Helen Ferguson did not ask for Mary Phagan's pay Friday, April 25th. Mr. Frank and I left the factory between six and six; thirty that day. I was supposed to get up the pencil contracts for the week on Friday. It was necessary to get this up in order to complete the financial sheets. I did not get them up on Friday, because I had to pay off on Friday, and as the week only closed on Thursday night, we had all we could do to figure out the pay roll and get the money before the bank closed at 2 o'clock on Friday. That threw extra work on Mr. Frank in getting up the financial on Saturday. I intended to come back to the factory on Saturday morning, but overslept myself. Mr. Frank called me by telephone twice on Saturday morning. My maid answered the telephone. That picture (State's Ex. "A") shows Mr. Frank's office, inner office, to be bigger than the outer office. As a matter of fact the outer office is twice as large as the inner office. The picture shows an inaccuracy as to the relative position of the elevator shaft from the outer wall of Mr. Frank's office. It is directly opposite the entrance to the factory.



shows it below the time clock nearly to where the staircase is. The door entering into the Clarke Wooden Ware place was open two or three days after the murder. The door was previously locked. There is a hole back there through which waste is thrown down. It is an open hole. There is no lid to it. It is big enough for the body of a girl of the size of Mary Phagan to go through. If a body was thrown down it, it would roll down and stop on the platform. Mr. Frank did not know that I had not completed the data sheet (Defendant's Ex. "3") for him before Saturday morning. It usually took Mr. Frank and me about three hours to finish the financial sheet. This is the financial sheet that Mr. Frank made up on Saturday afternoon, April 26th (Defendant's Ex. "2"). It is in his handwriting. I didn't see it at the factory on Friday. First saw it the following week when I got it back from the General Manager. It is accurately prepared from the calculations left by me on the data sheets. I haven't found any mistakes in it. The first items on it are standing items and do not require any calculation, if you know it. These are the items headed "direct, indirect, rent, light, heat, water, power, insurance, sales department, repair sundries, Mach. Shop." Under the heading "Material Costs", the first figure 2765½ represents the number of gross that we manufactured for that week. That is the data I furnished him through Wednesday night. I left it there on his desk on Friday night. Mr. Frank's calculation corresponds with the data that I left there. He arrived at the same figure, 2765½, that I did. To get that figure he had to enter all his packing reports for Thursday containing two or three pages each that contain

He has to put that down under the number of pencils that shows on this sheet. He has to calculate and have a separate report as to each kind of pencil and then add them up. We manufacture over a hundred kind of pencils. That week we dealt ~~with~~ with about thirty-five different kinds. To do this you have to add, multiply, classify and separate each pencil into a different class. The next item appearing on the financial sheet is "slats", 2719½. In calculating that he had to calculate the number of gross of slats used, of the product of the pencils, which should check up with the number of gross manufactured. He would have to go through the packing report for that. The next item is "rubber" 720 gross at 6½ cents, 667½ at 9¢, ~~and~~ 706½ gross at 14 cents. That means the rubber plug that goes into the pencil tips. The cheaper pencil takes a cheap plug and the higher grade pencil takes a higher grade plug. That shows how many we use and the kind of plugs; to arrive at that figure he had to go all through the grade of pencils for the entire week, and separate the different ones. That is quite a calculation. Next item is "tips", the different kind of tips that are used on the pencil to hold the plug. He would have to go through the grade for the entire week, just like he did for the rubber. The next item is "Lead" which he had to figure out the same way. Different class pencils take different class lead. The next item is "supplies", that is a fixed thing and involves no calculation. The next thing is "boxes". We have some pencils that are packed in boxes and some that are not packed in boxes, and he had to ascertain what pencils were packed in boxes, and in gross boxes, and in half gross boxes, multiply them, get them all down together under the head of "gross" to know how many boxes we used. Next item is "assortment boxes". He has to sort out his packing reports to know the

number had for that week. The next item "wrappers" requires calculation because every dozen pencils takes a wrapper. People sometimes want them packed in tissue paper, and he has to know which pencils are packed. He has got to go through all the pencils to determine which took wrappers and which did not. Our pencil production averaged 2500 to 3000 gross per week. A gross is 144. The next item is "skeletons". Skeleton is a card board with a little place in it where six pencils go on one side and six on the other and the wrapper goes around it. The assortment boxes don't take skeletons, the cheaper pencils do. He had to know the details of the productions of pencils to determine how many skeletons were used, just like he did the wrappers. The next item that required figures is "lead deliveries". We had two other places where we get materials from, slat mills at Oakland City and lead mills at Bell and Decatur Street. Mr. Frank kept the pay roll for bell street, and the lead deliveries for Bell Street. He had to get up for the next item the slats that were cheap and good. Then he had to calculate all this stuff on down. Next on this big sheet we have the number of every pencil manufactured. We only use the numbers that are packed that week. When he gets through he adds the total of the productions for that week of that department and he comes over here and puts it down and multiplies it by the price, the selling price, and besides these items we have pencils that are bad. For instance, we have some of these jobs, if they have plugs in them that are bad, he has to figure the number of plugs and the number of tips that were in his job and put in all his jobs and come over there and put down what his jobs amount to. That requires quite a good deal of calculating. The handwriting on the financial of April 26th, is in Mr. Frank's usual and average handwriting.

been over carefully the calculations in it and it represents accurately the operations of the factory for that week. We did not do any of the work on that sheet on Friday. I think it would take about three hours to go through the calculations and complete that sheet. That was our average time. There is no difference in the handwriting of Mr. Frank in the financial sheet of April 26th, from that of the week previous. It is just the same. The financial sheets are all kept in this book here (Defendant's Ex. "9"). The one ending May 30th, 1912, is in Mr. Frank's handwriting. It was made on the Saturday following that date. None of these financial reports could be made in less time than two hours and a half. All these financial sheets beginning with May 30th, 1912, down to date are all in Mr. Frank's handwriting. They were all done on Saturday afternoons. From May 30th, 1912, up to date, Mr. Frank did not miss making a single financial sheet on Saturday afternoon. These are the original financial sheets (Defendant's Ex. "9"). They are kept in our safe at the factory. This little cash book (Defendant's Ex. "10") shows the petty cash checks we receive and what we spend it for, little items like kerosene, things like that. The week of April 26th, we used \$56.53 of the \$96.48 we had, leaving \$40.00 on hand. The next week we had left on hand \$34.54. That is what is marked to balance, but that does not always mean that we have that much money on hand. It means that we have accounted for it. We may have lent it out, in advances to men. We put tickets in the cash drawer when we do that and we count it as actual cash. On that Saturday, we couldn't have over \$30 or \$35 in the drawer. Yes, I am acquainted with Joel Hunter, the accountant, with all the data that goes in the financial sheet and explained it to him.

Mr. Sidwell. I gave them all the data nec-

essary to make up the sheet. The sheet here headed "Comparison  
1912 to 1913" (Defendant's Ex. "11") is made up by Mr. Frank to show  
the difference between one week of this year and the same week of  
last year and in making that up he has to take the financial sheet  
that he made this year and turn to the financial sheet that he  
made last year for the same week and compare them. This is the  
comparison sheet he made on Saturday. It is dated April 24th,  
1913. (Defendant's Ex. "11"). The requisition and house order  
book (Defendant's Ex. "12") also show Mr. Frank's handwriting on  
April 26th. Also the last two lines of these pencil sheets (Deft.'s  
Ex. "7") are in Mr. Frank's handwriting. I made up the pencil  
sheets through Wednesday, but he had to make it up after Thursday.  
He had to put in all the items from the packing room for Thursday,  
enter them under the numbers on these other sheets and then add  
every item for the whole week. Mr. Frank had to fill in April  
24th on all three papers and then get in all those totals in  
on that. All of the last two lines are in his handwriting.  
He added up all this report for Thursday. He went through the  
report to figure them up, that was usually my work. It would  
take him about fifteen, twenty or twenty-five minutes. The  
house order book shows what day an order is received, the firm  
it is received from, where their place of business and what date  
it is shipped. As to what work is in this house order book  
(Deft's Ex. 12) that Mr. Frank did on Saturday, there is work in  
there in Mr. Frank's handwriting that wasn't in there when I left  
the night of April 25th. Beginning with item 7187 on page 56,  
"Received from F. W. Woolworth, store 57, St. Joseph, Mo. came  
in on the 16th, 17th, to be shipped at once." That is in Mr.  
Frank's handwriting, he entered that order. He would have to have  
that before he could enter in that book. The



The next item he entered was "House order 7188, F.W. WOOLWORTH, Store 68, Terre Haute Ind." That was to be filed at once. He would send an acknowledgement card for every order we received. If the order wasn't understood, he would write. The next item he entered was "House order 7189 Woolworth Store 53, Logansport, Ind." to be shipped at once, received on 4-26-13". He figured that order out and entered it. The next order is "House order 7190, store 585 DeKalb, Ill. received 4-26-13, ship at once". The next order is "House order 7191, store 35 Wilkesbarre, Pa. received, 4-26-13, ship at once." Next order "House order, 7192, store 313, Saratoga Springs, N.Y. received 4-26-13 to be shipped at once." The next order is 7193, send by mail to Unites Service, Sioux 5 & 10 cent Store Souix, Mich. received 4-26-13, to be shipped August 1st, Next order is "House order 7194 DuBuque, Iowa, 4-26-13 , at once" Next order is "House order 7195, Montag Bros. Atlanta, Ga. received 4-26-13, to be shipped at once." Next is House order 7196, John Leellie, to John Ferguson Comapny, Chicago, Ill., 4-26-13, at once."

Next is "House order 7197, R.E. Kendall Company, Cincinnati, Ohio, received 4-26-13, ship at once". All of these eleven orders are in Mr. Frank's handwriting and he entered them that day. That is the regular book that we keep those orders in (Defendant's Exhibit 13). I have looked at the original orders and compared them with Mr. Frank's entry in the book and they are correct. I have here the original orders from which Mr. Frank made his entries, with the exception of one, which I can't find. They were in Mr. Dorsey's possession for some time. These are the 11 original orders (Defendants Exhibit 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24) After Frank's enters the orders in the house order book, he transcribed them to these requisition sheets. In other words, in each order that he receives, he enters the order in the book, then makes out one of these requisition sheets and then makes the acknowledgment of the order to the party ordering the goods. All of these eleven requisition sheets

(Defendant's exhibits 25,26,27,28,29,30,31,32,33,34,35) are in Mr. Frank's handwriting and are O.K. by me when I check it, which means that we ship the goods. All of the goods called for by these orders have been shipped out by me after being O.K'd with the exception of the order of R.E. Kindell and Company 7197 (Defendant's exhibit 24), which was cancelled by letter. None of these orders were at the pencil company factory when I left there Friday night, and they were there when I got back on Monday. The work of looking over the orders and entering them in the order book and making out the ~~requisition~~ requisition has nothing to do with making out the financial sheet. It is entirely independent of it. The financial sheet shows the factory's operation from Friday morning, through Thursday night. These orders go into the next weeks business. I saw Mr. Frank on Sunday after the murder. There was no scratch, mark or bruise on him. Mr. Frank is a man of extremely temperment. If any thing went wrong about the factory, he would go all to pieces and get nervous. It was not unusual for Mr. Frank to get nervous. When a young child was run over by a street car, he came back as pale as death, and I had to give him a dose of ammonia. He was no good for the rest of the day. I know Jim Conley's character, for truth and veracity it is bad. I would not believe him on oath. The paper that those notes found by the body were written on can be found all over the plant. They get swept to the basement into the trash. I heard the telephone conversation between Mr. Frank and Mr. Ursanbach about the ball game. I heard Mr. Frank say " Yes Charles I will go if I can". Sitting in Mr. Frank's desk in the inner office you can see about half of the dial of clock # 2. You cannot see the steps leading down to the first floor. If the safe door is open in the center office you can't see anything at all. It would have to be a pretty tall man to see over it. It would be impossible for a girl of Monteen Stovers height to see over it. The safe door is always wide open while we are in the factory. I went through the safe Monday, Tuesday and Wednesday. I didn't

thing to Mr. Herbert or Mr. Darley about what's going on around here." Next time I watched for him was Thanksgiving Day. I met Mr. Frank that morning about eight o'clock. He said "A lady will be in here in a little while, me and her are going to chat, I don't want you to do no work, I just want you to watch." In about half an hour the lady came. I didn't know that lady, she didn't work at the factory. I think I saw her in the factory two or three nights before Thanksgiving Day in Mr. Frank's office. She was a nice looking lady. I think she had on black clothes. She was a very tall, heavy built lady. After she came in that Thanksgiving Day morning, I closed the door after Me stamped for me to close it. She went upstairs towards Mr. Frank's office. Mr. Frank came out there and stamped, and I closed the door. Mr. Frank said, "I'll stamp after this lady comes and you go and close the door and turn the night latch." That's the first time he told me about the night lock. And he says, "If everything is all right you kick against the door," and I kicked against the door. After an hour and a half Mr. Frank came down and unlocked the doors and says, "Everything is all right." He then went and looked up the street and told the lady to come on downstairs. After she came down, she said to Mr. Frank, "Is that the nigger?" and Mr. Frank said, "Yes, and she said, "Well, does he talk much?" and he says, "No, he is the best nigger I have ever seen." Mr. Frank called me in the office and gave me \$1.25. The lady had on a blue skirt with white dots in it and white slippers and white stockings and had a gray tailor-made coat, with pieces of velvet on the edges of it. The velvet was black and the cloth of the coat was gray. She had on a black hat with big black feathers. I left a little before 12 o'clock. I didn't see anybody else there that day at the office. The next time I watched was way after Christmas, on a Saturday,

about the middle of January--somewhere about the first or middle. It was right after New Year, one or two, or three or four days after. It was on a Saturday. He said a young man and two ladies would be coming. That was that Saturday morning at half past seven. I was standing by the side of Gordon Bailey when he come and told me, and he said, I could make a piece of money off that man. Yes, Snowball couldhear what he said. The man and ladies came about half past two or three o'clock. They stayed there about two hours. I didn't know either one of the ladies. I can't describe what either one of them had on. The man was tall, slim built, a heavy man. I have seen him at the factory talking to Holloway, he 'didn't work there. I have seen him often talking to Holloway, through the week. You asked me what I did the second Saturday after I watched for him, well, I don't remember. As to what I did the Saturday I watched for him the second time, I disremember what I did. The Saturday after that, I think about the first of August, I did some more watching for him. I don't remember what I did the Saturday before Thanksgiving day. I don't remember what I did the Saturday after Thanksgiving day. I don't remember what I did the next Saturday. I don't know, sir, what I did the next Saturday. The next Saturday I did some watching for him. I watched for him somewhere about the last of September after Thanksgiving day. No, I don't remember any of those dates. Couldn't tell you to save my life what time I left home the first time I watched for him. I couldn't tell you what time I got to the factory the second time I watched for him, nor what time I left home. I don't know whether I drew my money on the first Saturday I watched for him. I disremember whether anybody else drew my money for me the second Saturday I watched for him. I don't know how much I drew. I couldn't tell you whether I



drew my money Thanksgiving Day or not. I don't know how much I drew. I don't remember what time I got down or what time I left. I don't know when I got to the factory the day before Thanksgiving, or how long I worked there. I don't remember how many hours I worked the first Saturday I watched for him or the second, or the third, or Thanksgiving Day. No, I don't know how much I drew on those days. The first time I was in prison was in September. The next time was sometime before Christmas, I can't remember the date. I was there thirty days. It was somewhere along in October. A year before that I was in prison too, about thirty days. I have been in prison three times since I have been with the pencil company. I have been in prison about three times within the last three or four years. I have been in prison seven or eight times within the last four or five years. I can't give you any of the dates, nor how long I stayed there any of the times that I was there. I don't know what month or what day it was, nor how long I stayed there. I knew the factory was not going to be run on April 26th. Yes, Snowball and I drink beer together sometimes in the building. Yes, we used to go down in the basement and drink together, but he aint the only man. I never was drunk at the factory. Snowball wasn't there the first Saturday I watched for Mr. Frank. I think he laid off. I don't know whether he was there the second or third Saturdays, I didn't see him Thanksgiving morning, but I saw him the day before Thanksgiving. That was the time that Mr. Frank told me to watch for him. He talked to me before Snowball. I don't know whether Snowball was there in January when I watched. Snowball was there in January in the box room when Mr. Frank told me to watch for him. I don't know

niggers in all working in the factory. Snowball, the fireman and me did just plain manual labor, the rest of the negroes had better jobs. Snowball, the fireman and I were the last negroes to get jobs there. We were the new darkies; the others had been working before we went there. Mr. Frank used to laugh and jolly with me. I couldn't tell you the first time he did this. Mr. Darley has seen him jolly me. They would jolly me together. They would play and go on around there with me. It has been so long ago I can't tell you any of the jokes. Mr. Schiff and Mr. Holloway has seen him joking with me. He would say, "Come on I am going to make a graveyard down there in the basement if you don't hurry and bring that elevator back up here," Mr. Holloway heard him say that. Mr. Schiff has seen him playing with me. He would goose me and punch me and tell me I was a good negro. I don't remember anything else he said. Yes, Mr. Darley would goose me and kick me a little bit, just playing with me. Mr. Schiff would crack jokes with me. I don't remember the time. The time Mr. Frank came in the elevator and told me about watching for him, he didn't know Snowball was in there. Snowball was standing right there by me. Mr. Frank could have seen him and he could have heard anything that was said. He saw Snowball standing there, I have been at the factory over two years. I don't remember the day or month I went there. It was sometime in 1910. I don't remember whether it was summer or winter. Miss Daisy Hopkins worked on the fourth floor in 1912. I don't know when she quit. I saw her working from June 1912, up until about Christmas. Yes, I worked on the same floor with her. I don't know whether she worked there in 1913. Miss Daisy was a low lady, kind of heavy, and she was pretty, low, chunky, kind of heavy weight. I don't know what color her hair was, eyes, or her complexion. She was light skinned. She looked to

be about twenty-three. I know she was there, in June, because she gave me a note to take down to Mr. Schiff. I remember that because the note had June on it. Mr. Schiff said it had "June" on it when he read it. <sup>I can't read, but</sup> He read that note and he read "June something," it was on the outside of the note. It was on the back of the note. "June" was written on the back of that note. She wrote the note and folded it up and he read "June" on the back of it and he laughed at it. The reason I know she left the factory during Christmas because Mr. Dalton told me she wasn't coming back. He told me that one Saturday coming down to the factory. I never have seen Mr. Dalton except at the factory. No, he doesn't work there. I saw him somewhere along in January. He came out that time by himself. He and a lady had been down in the basement. The last time I saw him the detectives brought him down at the station house and asked if I had ever seen him in there. I saw Mr. Holloway at the factory the first Saturday I watched for Mr. Frank. The next Saturday I watched, he was sick and wasn't there. He was sick two Saturdays in June. I disremember whether I saw Mr. Schiff and Mr. Darley. I remember seeing Mr. Darley at the factory on Thanksgiving Day. I don't know what time he left. I couldn't tell you anybody who came to the factory the first Saturday I watched. The second time I think there were some young ladies working up on the fourth floor. I don't know about the third time. I don't know whether anybody was working there Thanksgiving or not. I didn't see Mr. Schiff at all. I will swear that he was not in the office with Mr. Frank. I don't know whether any ladies were working there the next time or not. I have been back in the metal department, but I never have been on the right hand side where the machines are. I have swept on the second floor, but not in the metal department. I don't know where those vats ~~are back there.~~ I don't know what you are talking about. I

don't know anything about the plating room. I never have been in Mr. Quinn's office. I have put disinfectants in the ladies and gentlemen's closets back there. I wouldn't go inside. I would only go to the door. I stood outside of the door and sprinkled it ~~with~~ in a little way. Outside of that, and going to Mr. Quinn's office I have never been on the left hand side of the factory. I have been there where they wash the lead at, and I have stuck bills in Mr. Quinn's office. Yes, I have been back in there where that dark place is. I don't know how many times I have stacked some boxes back in there. I have been back there three times altogether. Sometime before Christmas. Yes, sir, you can see from the top of the stairway back in there. I have been back there three times altogether. Sometime before Christmas. Yes, sir; you can see from the top of the stairway to Mr. Frank's inside office. A man sitting at Mr. Frank's desk can see people coming up the stairway if he is watching for them. If the safe door is open I don't hardly think he can see them. If it is shut he can. I am certain of that. I thought you were talking about the third floor. He couldn't see people coming up from the first floor. He can see them after they get along by the clock. I left the factory 5:30 Friday afternoon, before the factory stopped. I think I punched when I went out. One of them was ten minutes fast. That was the one on the right, I left there without drawing my money because I knew I wasn't going to draw but \$2.75 and I owed the watch man a dollar and I knowed I wouldn't have enough for me and to pay him and I told Mr. Holloway to let Snowball draw it for me. Snowball drew it for me and met me at the shoe shop at the corner of Alabama and Forsyth Street. He gave me \$3.75. I wasn't supposed to draw but \$2.75, and Mr. Frank taken that