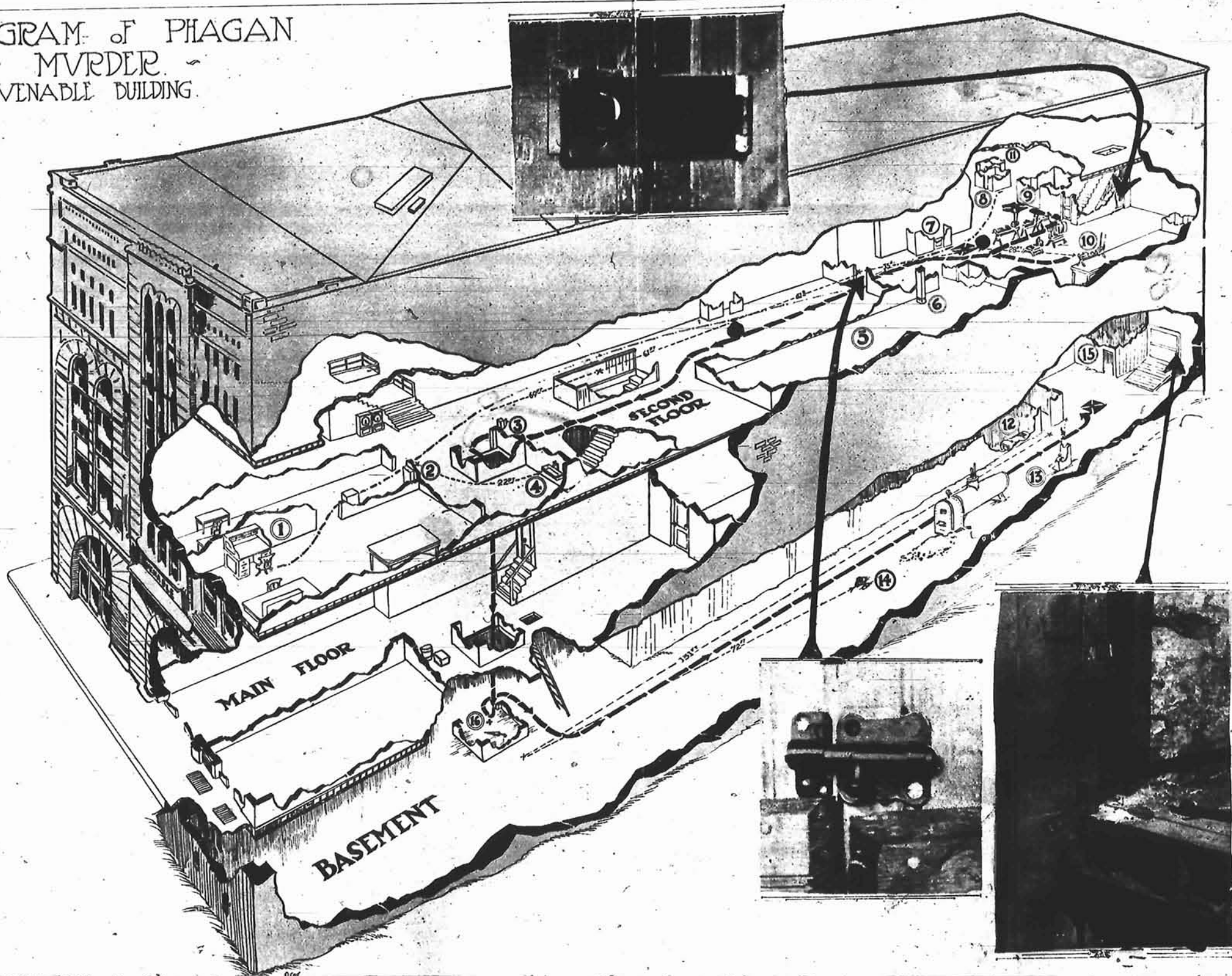


STATE'S EXHIBIT A.
Diagram of National Pencil Company Factory.

DIAGRAM OF PHAGAN
MURDER
VENABLE BUILDING.



STATE'S EXHIBIT B.

Frank's statement made before N. A. Lanford, Chief of Detectives, on Monday morning, April 28, 1913, this statement being unsigned:

"I am general superintendent and director of the National Pencil Company. In Atlanta I have held that position since August 10, 1908. My place of business is at 37 to 41 S. Forsyth St. We have about 107 employees in that plant, male and female. I guess there are a few more girls than boys. Saturday, April 26th, was a holiday with our company and the factory was shut down. There were several people who came in during the morning. The office boy and the stenographer were in the office with me until noon. They left about 12 or a little after. We have a day watchman there. He left shortly before 12 o'clock. After the office boy and the stenographer left, this little girl, Mary Phagan, came in, but at the time I didn't know that was her name. She came in between 12:05 and 12:10, maybe 12:07, to get her pay envelope, her salary. I paid her and she went out of the office. I was in the inner office at my desk, the furthest office to the left from the main office. It was impossible to see the direction she went in when she left. My impression was that she just walked away. I didn't pay any particular attention. I didn't keep the door locked downstairs that morning because the mail was coming in. I locked it at 1:10 when I went to dinner. Arthur White and Harry Denham were also in the building. They were working on the machinery, doing repair work, working on the top floor of the building, which is the fourth floor, towards the rear or about the middle of the building, but a little more to the rear. They were tightening up the belts; they are not machinists; one is a foreman in one department and the other is an assistant in another, and Denham was assisting White, and Mrs. White, the wife of Arthur White, was also in the building. She left about 1 o'clock. I went up there and told them I was going to dinner and they had to get out, and they said they had not finished and I said, 'How long will it take?' and they said until some time in the afternoon, and then I said, 'Mrs. White, you will have to go, for I am going to lock these boys in here.' Anyone from the inside can open the outside door, but not the inside door, which I locked. You can go in the basement from the front through the trap door. No, sir, they could get up the steps if I was out. I locked the outer door and the inner door. I got back at 3 o'clock, and maybe two or three minutes before, and I went to the office and took off my coat and then went upstairs to tell those boys I was back, and I couldn't find them at first, they were back in the dipping room in the rear, and I said, 'Are you ready,' and they said, 'We are just ready,' and I said, 'All right, ring out when you go down to let me know when you go out,' and they rang out, and Arthur White come in the office and said, 'Mr. Frank, loan me \$2.00,' and I said, 'What's the matter; we just paid off,' and he said, 'My wife robbed me,' and I give him \$2.00 and he walked away, and the two of them walked out. I locked the outer door behind them. When I am in there is no need of locking the inner door. There was only one person

I was looking for to come in, and that was the night watchman. He got there at 20 minutes to four. I had previously arranged for him to get there. On Friday night I told him, after he got his money. I give him the keys and I said, 'You had better come around early to-morrow because I may go to the ball game,' and he come early because of that fact; I told him to come early and he came 20 minutes to 4. I figured that I could leave about 1 o'clock and would not come back, but it was so cold I didn't want to risk catching cold and I come back to the factory as I usually do. He come in and I said 'Newt, you are early,' and he said, 'Yes, sir,' and he had a bag of bananas with him and he offered me a banana; I didn't see them but he offered me one and I guess he had them. We have told him once he gets in that building never to go out; I told him he could go out; he got there so early and I was going to be there. He come back about 4 minutes to six; the reason I know that I was putting the clock slips in and the clock was right in front of me. I said, 'I will be ready in a minute,' and he went downstairs and I come to the office and put on my coat and hat and followed him and went out. When I went out, talking to Newt Lee was J. M. Gantt, a man I had fired about two weeks previous. Newt told me he wanted to go up to get a pair of shoes he left while he was working there, and Gantt said to me, 'Newt don't want me to go up,' and he said, 'You can go with me, Mr. Frank,' and I said 'That's all right, go with him, Newt,' and I went on home, and I got home about 6:25. Nothing else happened; that's all I know. I don't know what time Gantt came down after he went up. I saw him go in and I locked the door after him, but I didn't try them. I telephoned Newt. I tried to telephone him when I got home; he punches the clock at half hour intervals, and the clock and the phone is in the office, and I didn't get an answer and at 7 o'clock I called him and asked him if Gantt got his shoes and he said yes, he got them, and I said is everything all right and he said yes, and the next thing I knew they called me at 7:30 the next morning. I don't know that our watchman has been in the habit of letting people in the factory at any time. I have never heard of it. I never had any trouble with the watchman about it. As to whether any of our employees go there at night, Gantt did when he was working there; he had a key and sometimes he would have some work left over. I never have seen him go out until I go out. I go out and come back, but he has come back before I left, but that is part of his duty. I took a bath Saturday night at my home. I changed my clothes. The clothes that I changed are at home, and this is the suit of clothes I was wearing Saturday. After I left the shop I went to Jacob's Pharmacy and bought a box of candy for my wife and got home about 6:25."

STATE'S EXHIBIT C.

Piece of cord found around Mary Phagan's neck, about size of a heavy twine, with a knot in it.

245

STATE'S EXHIBIT D.

Rag that was found around Mary Phagan's neck, with blood on it. White piece of cloth, soiled. Looked as if it was a piece torn off from petticoat.

STATE'S EXHIBIT E.

Four or five chips of wood, with red splotches on them, chipped up from the second floor of the National Pencil Company factory in front of ladies' dressing room.

STATE'S EXHIBIT F.

Shirt found by detectives in trash barrel at Newt Lee's home. Shirt was very bloody; blood was on both sides of shirt and high up on arm-pits on the inside.

STATE'S EXHIBIT G.

Jar containing cabbage extracted from the stomach of Mary Phagan by Dr. Harris. Cabbage was not disintegrated, but was in a whole piece.

STATE'S EXHIBIT H.

Scratch pad that Conley wrote on. Ordinary white scratch pad.

STATE'S EXHIBIT I.

Portion of the signed statement of E. F. Holloway given to Solicitor H. M. Dorsey:

"I don't know C. B. Dalton. I do know Daisy Hopkins. She worked at the factory not less than eight or ten months. I never did see any man go in the factory with Daisy Hopkins after the employees had gone on a Saturday. If they ever came there, they came after I left. I never did know of Daisy Hopkins or other girls going up in the factory on Saturday afternoon with any men.

"This power box that runs the elevator is kept locked all the time. I keep it locked. The key is kept in the office. I locked it Saturday. I put the key back in the office. I always lock it and unlock it. I didn't go to the factory on Sunday. The key was hanging on the same nail on Monday."

STATE'S EXHIBIT J.

Affidavit executed by Minola McKnight for Solicitor Dorsey, as follows:

"State of Georgia,
County of Fulton.

Personally appeared before me, a notary public in and for the above state and county, Minola McKnight, who lives in the rear of 351 Pulliam St., Atlanta, Ga., who being duly sworn deposes and says:

"On Saturday morning, April 26, 1913, Mr. Frank left home about eight o'clock, and Albert, my husband, was there Saturday, too. Albert got there I guess about a quarter after one and he was there when Mr. Frank come for dinner, which was about half-past one, but Mr. Frank did not eat any dinner, and he left in about ten minutes after he got there. Mr. Frank come back to the house at seven o'clock that night, and Albert was there when he got there. Albert had gone home that evening but he come back. I don't know what time he got there, but he come sometime before Mr. Frank did, and Mr. Frank eat supper about seven o'clock, and when I left there that night about eight o'clock, I left Mr. Frank there.

Sunday morning I got there about eight o'clock, and there was an automobile standing in front of the house and I didn't pay any attention to it. I saw a man in the automobile get a bucket of water and pour into it. Mr. Frank's wife was downstairs and Mr. and Mrs. Selig were upstairs. Albert was there Sunday morning, but I don't remember what time he got there. I called them down to breakfast about half past eight and I found out that Mr. Frank was gone. Mr. and Mrs. Selig eat breakfast, but Mrs. Frank didn't eat until Mr. Frank come back and then they eat breakfast together. I didn't hear them say anything at the breakfast table. After dinner I understood them to say that a girl and Mr. Frank were caught at the office Saturday. I don't know who said it, Miss Lucile (Mrs. Frank) and Mr. and Mrs. Selig and Mr. Frank were standing there talking, after dinner when they said it; I understood them to say it was a Jew girl.

"On Tuesday, Mr. Frank says to me, 'It is mighty bad Minola, I might have to go to jail about this girl, and I don't know anything about it.'

"Sunday, Miss Lucile said to Mrs. Selig that Mr. Frank didn't rest so good Saturday night; she said he was drunk and wouldn't let her sleep with him, and she said she slept on the floor on the rug by the bed because Mr. Frank was drinking. Miss Lucile said Sunday that Mr. Frank told her Saturday night that he was in trouble, and that he didn't know the reason why he would murder, and he told his wife to get his pistol and let him kill himself. I heard Miss Lucile say that to Mrs. Selig, and it got away with Mrs. Selig mighty bad; she didn't know what to think. I haven't heard Miss Lucile say whether she believed it or not. I don't know why Mrs. Frank didn't come to see her husband, but it was a pretty good while before she would come to see him, maybe two weeks. She would tell me, 'Wasn't it mighty bad that he was locked up,' she would say, 'Minola, I don't know what I am going to do.'

"When I left home to go to the solicitor general's office, they told me to mind how I talked. They pay me \$3.50 a week, but last week they paid me \$4.00, and one week she paid me \$6.50. Up to the time of the murder I was getting \$3.50 a week and the week right after the murder I don't remember how much she paid me, and the next week they paid me \$3.50, and the next week they paid me \$6.50, and the next week they paid me \$4.00 and the next week they paid me \$4.00. One week, I don't remember which one, Mrs.

STATE'S EXHIBIT K.

Specimen of Frank's handwriting made by Frank for the detectives at the police station.

He said he would
I've laid down plan
the night in his cell
it but that long talk
black negro did buy
himself

Man that negro fire
down here did that when
I went to make water and
he pushed me down a hole
a long tall negro black that
had it

(J.N.8) 4/29/13

Selig gave me \$5, but it wasn't for my work, and they didn't tell me what it was for, she just said, 'Here is \$5, Minola.' I understood that it was a tip for me to keep quiet. They would tell me to mind how I talked and Miss Lucile gave me a hat."

Q. "Is that the reason you didn't tell the solicitor yesterday all about this, that Miss Lucile and the others had told you not to say anything about what happened at home there?"

A. "Yes, sir."

Q. "Is that true?"

A. "Yes, sir."

Q. "And that's the reason you would rather have been locked up last night than tell?"

A. "Yes, sir."

Q. "Has Mr. Pickett or Mr. Cravens or Mr. Campbell or myself influenced you in any way or threatened you in any way to make this statement?"

A. "No, sir."

Q. "You make it of your own free will and accord in their presence and in the presence of Mr. Gordon, your attorney?"

A. "Yes, sir."

— (Signed) MINOLA McKNIGHT.

Sworn to and subscribed before me, this 3rd day of June, 1913.

— (Signed) G. C. FEBRUARY,
Notary public, Fulton County, Ga.

STATE'S EXHIBIT L.

A small whip handle found by detective McWorth at the pencil factory.

STATE'S EXHIBIT M.

Clothes worn by Mary Phagan consisting of hat, hair ribbons (2), dress, corset with hose supporters attached, one broken, corset cover, knit undervest, underskirt, drawers (right leg torn and soiled with blood), pair of silk garters, pair of hose, pair of low shoes, handkerchief, parasol.

STATE'S EXHIBIT N.

Copy of the Minutes of the State Board of Health, found on pages 144-145 thereof, reading as follows:

"The President then addressed the Board at length on his reasons for thinking that the Secretary should be requested to resign, the subjects dealt

with being too enormous and too lengthy to be included here in their entirety. After the President's address, the Board adjourned and reassembled again at four o'clock in the afternoon, at which time Dr. Harris's side of the controversy was heard.

"The Secretary not having been present at what transpired following this was not in a position to take note as to the proceeding, but was informed by members on adjournment that it was their wish that he should still continue as Secretary and Director of the laboratories.

"The President then made a short statement in support of his protest against the Secretary, and reiterated some of the charges made at the previous meeting, and in addition, made objection against the Secretary's action in sending out antitoxin No. 64, which had been shown by tests made in Washington to be of less potency than it was originally labeled, and also condemning the Secretary for replacing Dr. Paullin and personally taking up the investigation of the malarial epidemic around the pond of the Central Georgia Power Company. The President then stated that he would publish the charges against the Secretary if the Board did not take such action regarding them as he thought right and proper. At the conclusion of the President's address, a talk was made by Dr. Doughty, in which he took exception to the former's attitude, and insisted that every member of the board wished to do what was best for the State Board of Health and the people of Georgia, and that every one connected with the Board of Health should be willing to bow to the decision of this body. He deprecated strongly the idea of giving to the press charges, the publication of which could do no good, and which could only result in harm.

"On the President and Secretary being recalled an hour later the President pro tem, Dr. Benedict, read the following resolution, which had been unanimously adopted by the Board on motion of Dr. Harbin, seconded by Dr. Brown, the resolution having been drawn by a committee appointed by the Board, consisting of Drs. Benedict, Taylor and Doughty.

"That the committee appointed to frame a resolution expressing the opinion of the Board with regard to the charges preferred against the Secretary by the President of the Board in a report to the Governor, and upon which they are called upon to act, beg to report as follows:

"Resolved, That the members of the Board present, after carefully considering the charges and all evidence in its possession, unanimously agree that while there have been certain slight irregularities in the conduct of some departments of the laboratories of the State Board of Health, which should be corrected; these irregularities have not been so important in character or result as to call for or warrant the discontinuance of Dr. Harris as Secretary and Director of laboratories as demanded by the President. The Board further directs that a copy of this resolution be transmitted to the Governor.'"

STATE'S EXHIBIT O.

Telegram sent by Leo M. Frank:

“Atlanta, Ga., April 28, 1913.

“Mr. Adolph Montag,
Care Imperial Hotel, New York.

“You may have read in Atlanta papers of factory girl found dead Sunday morning in cellar of pencil factory. Police will eventually solve it. Assure my uncle I am all right in case he asks. Our company has case well in hand.
LEO M. FRANK.”

STATE'S EXHIBIT P.

Time slip punched for Solicitor Dorsey by L. T. Kendrick:

1	5.01
2	5.30
3	6.00
4	6.29
5	6.58
6	7.38
7	8.01
8	8.29
9	9.00
10	9.30
11	10.00
12	10.30
13	10.58
14	
15	11.59
16	12.30
17	12.59
18	1.29
19	2.00
20	2.31
21	3.00
22	3.30
23	3.59
24	4.30
25	5.00
26	
27	
28	
29	
30	

STATE'S EXHIBIT Q.

Miss Hattie Hall's testimony before coroner's inquest, as follows:

"He (Mr. Frank) came to Montag's before I went to his office. I went to his office after he went back, somewhere between 10:30 and 11. I didn't notice the clock. As to whether I got any financial sheet on Monday, or not, I remember the previous Saturday I was at the pencil factory and I helped him make up the financial sheet. I filled in part of it. I suppose by that he must have got it up. I transferred some of the things to that sheet. Mr. Frank made up most of the work and I transferred some of the things to that sheet. I really don't remember whether it was morning or afternoon. It was morning. I don't work on Saturday afternoons. I don't remember that I was in the inner office with him at any time except when I was taking the letters. He was pretty quiet in there. I suppose he was at work."

STATE'S EXHIBIT R.

Accident report to the Insurance Company relative to Duffy's injury.
Claim Division, Branch Office, The Travelers Insurance Company, 608-609
Fourth National Bank Building, Atlanta, Ga.

Immediate Report of Accident.

Employee of National Pencil Company.
Address, 37-41 S. Forsyth St. City, Atlanta. State, Georgia.
Date and hour of accident, Oct. 4th, 1912, 9:30 m.
Date of this report, Oct. 4th, 1912.

Injured Person { Name, J. E. Duffy. Address, 237 E. Fair St.
Age, 21. Occupation, Running eyelet machine.
Weekly wages, \$6.60. Married or Single? Married.
General duties, Running machine.

The Machine, Appliance, or Thing Immediately Causing Accident { What was it? A piece of brass on machine.
In whose control at the time? His own self.
Was it sound and in good working order? Yes.

Place of Accident { Room or Dept. No. 18A. No. Street City or town

Contributing Causes { Carelessness of injured person? No. Violation or negligence of fellow workman? No. Rules? No.

The Accident { Description. Said party was putting a roll of brass on his machine. This brass is very sharp, and same cut into flesh, nearly to the bone.
Name and addresses of witnesses: L. A. Irwin, foreman; Charlie Lee, machinist.

The Injury { Nature and extent? Very painful cut to the bone,
not serious if this brass does not cause poison to
set in.
Was surgical aid rendered? Yes. When? At once.
By whom? Dr. Hancock. Where? Atlanta Hospital.

Notice received by employer 10-4-12.

H. G. SCHIFF, Employer.

STATE'S EXHIBIT S.

Portion of the affidavit made by Lemmie Quinn for Solicitor Dorsey as follows:

"The doors that lead up to the back stairs, after work hours are locked, but this door at the back of my department, the lock had been broken off and we placed a bar across it. The idea of that was to keep employees from the fourth floor going down from that department and ringing out and getting their money before it was ready. Customarily it was closed. That was the purpose. There is no exit from the office floor to the street floor, except the front, there is a stairway leading from the office floor to the floor above. The back stairway is ordinarily closed with that bar, which makes it impossible for anybody to come from the upstairs down to the office floor. A man on the office floor could lift the bar and walk out, but I should not think that a man could come down to the office floor from above at all.

"I went uptown when I left home between 12 and 12:20. I got to the pool room about 12:30. . . He (Frank) said he didn't know that he would mention it, but he would mention it to his lawyers and see if they thought it was favorable to mention it. That must have been Wednesday of last week."

STATE'S EXHIBIT T.

Court papers with reference to the police records of Jim Conley, being seven in number.

Jas. Connally, Disorderly Conduct, fined \$1.75 7/22/1904—Paid
Jas. Connally, same, fined \$15.75, 10/15/07—Paid
Jim Connally, same, fined \$1.75, 7/18/05 G. G. B.
James Connally, same, fined \$10.75, 12/11/1907, G. G. B.
James Connally, same, fined \$3.75, 11/14/1906—Paid
Jimmie Connally, same, fined \$3.75, 3/5/1906 Paid
James Connally, same, sentenced 30 days 9/10/1912

STATE'S EXHIBIT U.

Pay envelope found by Barrett under his machine on the second floor of the factory. Ordinary pay envelope used by factory officers in paying off employees.

STATE'S EXHIBIT V.

Portion of the testimony of Emil Selig before coroner's inquest as follows:

"As to who else was present, my wife and his wife. They went to the opera before, probably, dinner was over, before he and I left. I stayed in the house. There was no one else there when he got there except me and my wife and him and his wife. The servant was there also. I am speaking about dinner time. I laid down a little while after dinner. I am sure about that. It was directly after dinner was over. Mr. Frank was in the hall. I think he laid down himself. My room is upstairs over the dining room. The telephone is in the dining room. Mr. Frank stayed quite a little while at dinner. I don't know exactly how long he stayed. No, he didn't leave before I got up. Yes, I took a nap. He came a little after one and we ate dinner and I laid down and took a considerable nap."

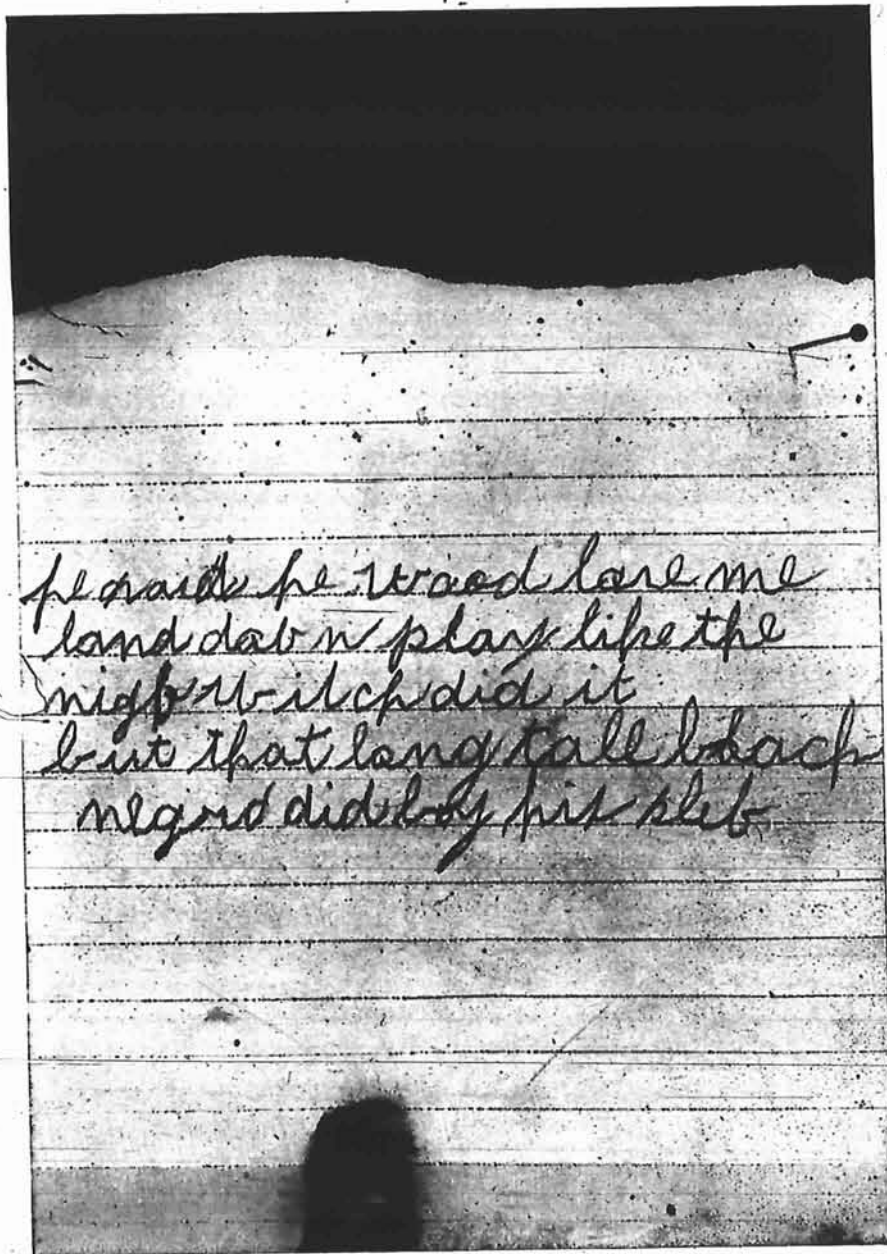
STATE'S EXHIBIT W.

Portion of testimony of Mrs. Josephine Selig before the coroner's inquest, as follows:

"As to what he (Mr. Frank) said about this affair, I don't know if he made any reference to it. She (Mrs. Frank) had told me. I don't remember that he said anything at all about this crime. He probably spoke of it in a general way. He is superintendent of the pencil factory. I think I would have remembered such a remark if he had made it. He said that there was a little girl found dead in the pencil factory that day. I didn't ask what her name was. I don't know that I asked any question at all, because I never really thought that it had any bearing on anything that I was interested in. It was not of interest to me. Naturally he would be concerned about it. I think he did seem unconcerned about it. I don't think he seemed to attach any great importance to it. I don't think he had anything to say about getting anybody to see what was the matter, or see who did it. I don't know what was the occasion of the first remark that Mr. Frank made about the thing. I suppose he had been there only a few minutes. Yes, he spoke about it before dinner. He mentioned the fact that a woman had been found down there. He mentioned that just casually. He didn't remark about the youth of the child or about the brutality of the crime, or describe any of the wounds, or wonder who was suspected, or give any theory as to how it happened. I don't think he expressed any anxiety or curiosity, or advance any theory as to how the thing had happened. He read the paper. There was no article about that in the paper. I can not say that he dwelt on any article. Yes, he read the paper just as steadily and studiously as the night before. I don't think he made any difference at all. He did not seem to be a bit impressed on account of the thing having happened in the pencil factory."

STATE'S EXHIBIT Y.

Note found by policemen in sawdust beside body of Mary Phagan, written on white paper.

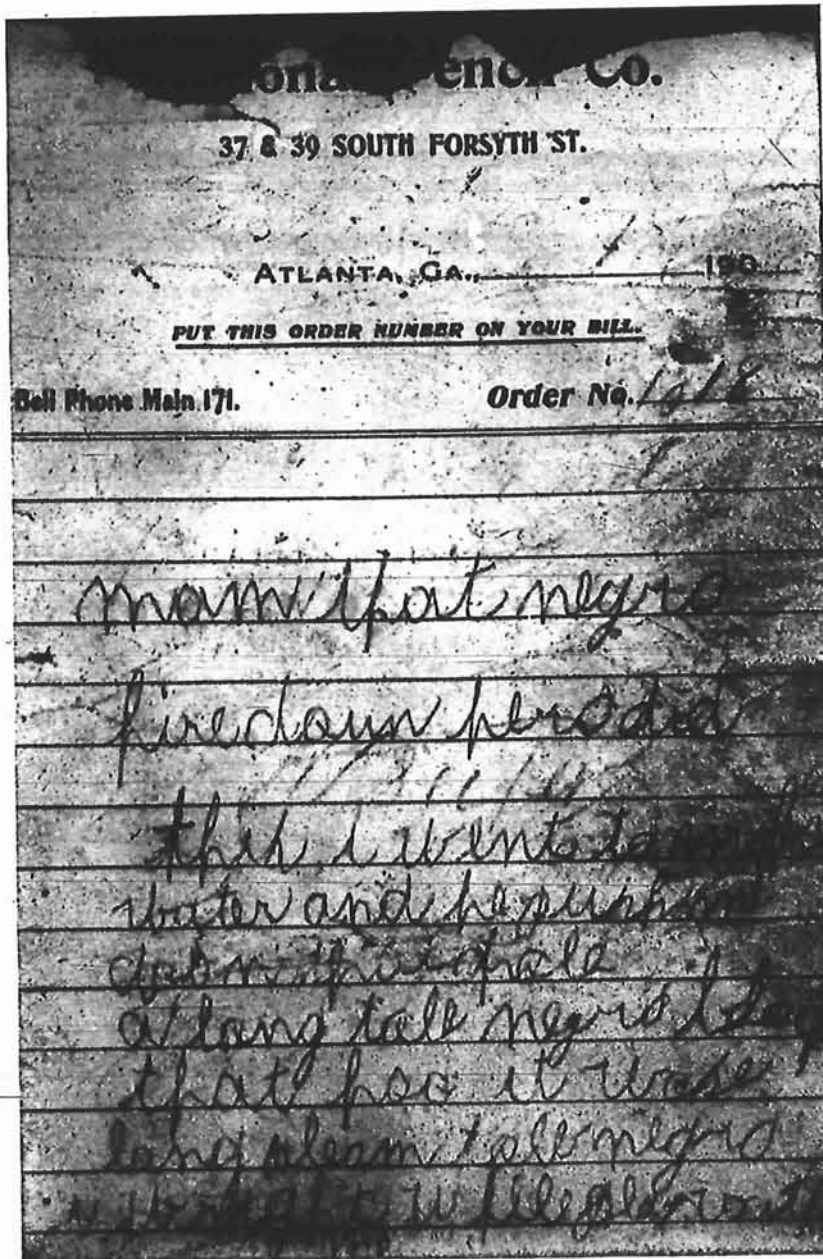


he said he would love me
laid down n play like the
night witch did it
but that long tall black
negro did boy hisself.

(He said he would love me, laid down play like the night witch did it but that long tall black negro did boy hisself.)

STATE'S EXHIBIT Z.

Note found by policemen in sawdust by side of the body of Mary Phagan, written on yellow paper.



(Mam that negro fire down here did this when i went to make water and he push me down a hole a long tall negro black that did (had) it. i right while play with me.)