

Frank denied the truth of Conley's story *in toto* and said that Mary Phagan came into his office about noon, that he gave her the envelope and that she left him and he had never seen her since. He introduced nearly one hundred witnesses as to his good character, including citizens of Atlanta, college mates at Cornell, and professors of that college.

And the defense produced the statement and affidavits Conley had made before the trial to the officers of the law.¹¹ In the first, on May 13, he gave a minute detail of his actions on the 26th of April; the saloons he visited and the whiskey and beer he bought, and itemized the denomination of the money he had and what he spent for beer, whiskey and sausage. He said nothing about Frank or Mary Phagan. On May 24 he made an affidavit in which he said that on Friday before the Saturday on which the murder was committed Frank asked him if he could write, and he dictated to him practically the contents of one of the notes found by the body of Mary Phagan. Frank then took a brown scratch pad and wrote on that himself and then gave him a box of cigarettes in which was some money, and Frank said to him that he had some wealthy relatives in Brooklyn and "Why should I hang?" On May 28, 1913, Conley made for the detectives another affidavit in which he stated that on Saturday morning, after leaving home, he bought two beers for himself, and then went to a saloon and won 90 cents with dice; that he bought two more beers and a half pint of whiskey, some of which he drank; that he met Frank in the street and they went over to the factory and he told him to sit down on the step until he whistled. Conley mentioned various people whom he saw from his place of espionage going up the stairs to Mr. Frank's office. Then Frank whistled to him and he came up the stairs and Frank was trembling, and he and Frank went into the private office when Frank exclaimed that Miss Emma Clark and Corinthia Hall were coming, and concealed Conley in the wardrobe. Conley said that he stayed in the wardrobe a pretty good while, for the whiskey and the

¹¹ *Post*, pp. 244-250.