

Frank by the undertaking establishment and let him see if he knew this young lady. Mr. Frank readily consented, so we got out and went in. The corpse was lying in a little kind of side room to the right of a large room. Didn't see Frank look at the corpse; don't remember that Mr. Frank ever followed me in this room. He may have stopped on the outside of the door, but my back was toward him; he could not have seen her face because it was lying over towards the wall. We asked Mr. Frank if he knew the girl, and he replied that he didn't know whether he did or not but that he could tell whether she worked at the factory by looking at his pay roll book. As we were leaving Mr. Frank's house, he asked Mrs. Frank to telephone Mr. Darley to come to the factory. From the undertaker's we went to the pencil factory; he opened the safe, took out his time book, ran his finger down until he came to the name Mary Phagan, and said, "Yes, Mary Phagan worked here, she was here yesterday to get her pay." He said, "I will tell you about the exact time she left there. My stenographer left about 12 o'clock, and a few minutes after she left the office boy left and Mary came in and got her money and left." He said she got \$1.20 and he asked whether anybody had found the envelope that the money was in. He then wanted to see where the girl was found. Mr. Frank went around by the elevator, where there was a switch box on the wall and Mr. Frank put the switch in. The box was not locked; the insurance company told him that he would have to leave it unlocked. In the base-

ment Mr. Frank made the remark that Mr. Darley had worked Newt Lee for sometime out at the Oakland plant and that if Lee knew anything about the murder that Darley would stand a better chance of getting it out of him than anybody else. After we came back from the basement, Mr. Frank says, "I had better put in a new slip, hadn't I, Darley?" Darley told him yes to put in a slip. Frank lifted out the slip and saw the slip was punched correctly. Mr. Frank then put in a new slip, closed the door, locked it and took his pencil and wrote on the slip that he had already taken out of the machine, "April 26, 1913." I looked at the slip that Mr. Frank took out, the first punch was 6:01, the second one was 6:32 or 6:33. He took the slip back in his office. I glanced all the way down and there was a punch for every number. The officers showed him where the body was found and he made the remark that it was too bad or something to that effect. When we left the factory, Newt Lee was under arrest; never considered Mr. Frank as being under arrest at that time.

Cross-examined. Never saw Mr. Frank until that morning. Mr. Frank readily consented to go to the undertaker's with us; at the undertaker's don't know that he didn't get a glance at the corpse, but no one but Mr. Gheesling and I at this moment stepped up and looked at the little girl's face. What Mr. Frank and Mr. Black saw behind my back, I can't say.

Grace Hicks. Knew Mary Phagan a year at the pencil factory; worked in the metal room. Mary's machine was right next