

to the dressing room. In going to the office from the closets one would pass the dressing room and Mary's machine within two or three feet. Mr. Frank would pass through the metal department looking around every day.

Cross-examined. Standing at the time elock you can't see into Mr. Frank's private office. A person wouldn't see from Mr. Frank's office any one coming in or out of the building; worked at the factory five years. In that time Mr. Frank spoke to me three times. Never saw Mr. Frank speak to Mary Phagan or Mary Phagan speak to Mr. Frank. When Mr. Frank came through the metal department he never spoke to any of the girls; just went through and looked around.

John R. Black. Am a city policeman; went over to Frank's house with Boots Rogers. Mrs. Frank came to the door; stated that I would like to see Mr. Frank; Mr. Frank stepped out from behind a curtain. His voice was hoarse and trembling and nervous and excited; asked if something had happened at the pencil factory and if the night watchman had reported it; asked him if he knew Mary Phagan; told him she had been found dead in the basement of the pencil factory. He said he didn't know any girl by the name of Mary Phagan, that he knew very few of the employes; at the undertaker's Mr. Frank gave a casual glance at her and stepped aside; couldn't say whether he saw the face of the girl or not. He said as we left that he didn't know the girl but he believed he had paid her off on Saturday; thought he recognized her being at the factory on Saturday by

the dress that she wore but he could tell by going over to the factory and looking at his cash book. At the pencil factory he took the slip out, and said it had been punched correctly. Tuesday night Mr. Scott and myself suggested to Mr. Frank to talk to Newt Lee. Mr. Frank spoke well of the negro, said he had always found him trusty and honest. They went in a room and stayed from about 5 to 10 minutes alone. Mr. Frank stated that Newt still stuck to the story that he knew nothing about it. Mr. Frank stated that Mr. Gantt was there on Saturday evening and that he told Newt Lee to let him go and get the shoes but to watch him, as he knew the surroundings of the office. After this conversation Gantt was arrested. Frank made no objections to talking to Newt Lee. He was nervous on Monday. After his release he seemed very jovial.

Cross-examined. At the coroner's inquest Mr. Frank answered every question readily. At the pencil factory Mr. Frank went to the safe and unlocked it, got the book, ran his finger down until he came to the name of Mary Phagan, and says, "Yes, this little girl worked here and I paid her \$1.20 yesterday." We went all over the factory that day. Nobody saw that blood spot that morning; must have been thirty people there during that day. Mr. Starnes was there with me. He didn't call attention to any blood spots. Chief Lanford was there, and he didn't discover any blood spots; found a bloody shirt in the bottom of a clothes barrel at Newt Lee's on Tuesday morning.

J. M. Gantt. Was shipping clerk at National Pencil Com-