

til that time—"I didn't stay there very often on Saturday afternoon;" Miss Fleming didn't stay there all afternoon. Now, gentlemen, I submit this man made that financial sheet Saturday morning. He could have fixed up that financial sheet Saturday afternoon, but he wouldn't have done it without Schiff having furnished the data if he hadn't been suspecting an accusation of murdering that little girl. A man of Frank's type could easily have fixed that financial sheet—a thing he did fifty-two times a year for five or six years—and could have betrayed no nervousness, he might easily—as he did when he wrote for the police—in the handwriting, a thing that he was accustomed to do—even in the presence of the police—you'll have it out with you—he may have written so as not to betray his nervousness.

And speaking about perjury: There's a writing that his mother said anybody who knew his writing ought to be able to identify and yet, that man you put up there to prove Frank's writing, was so afraid that he would do this man some injury, that he wouldn't identify the writing that his mother says that anybody that knows it at all, could recognize. I grant you that he didn't betray nervousness, probably, in the bosom of his family; I grant you that he could fix up a financial sheet that he had been fixing up fifty-two times a year for five or six years and not betray nervousness; I grant you that he could unlock the safe, a thing that he did every day for three hundred and sixty-five days in the year, without betraying nervousness; but when he went to run the elevator, when he went to nail up the door, when he talked to the police, when he rode to the station, then he showed nervousness.

And he could sit in a hall and read and joke about the baseball umpire, but his frivolty, that annoyed the people Saturday night that they had the card game, was the same kind of frivolity that Beattie betrayed when he stood at the automobile that contained the blood of his wife that he had shot. And certainly it is before this jury that he went in laughing and joking and trying to read a story that resulted only in annoyance to the people that were in that card game.