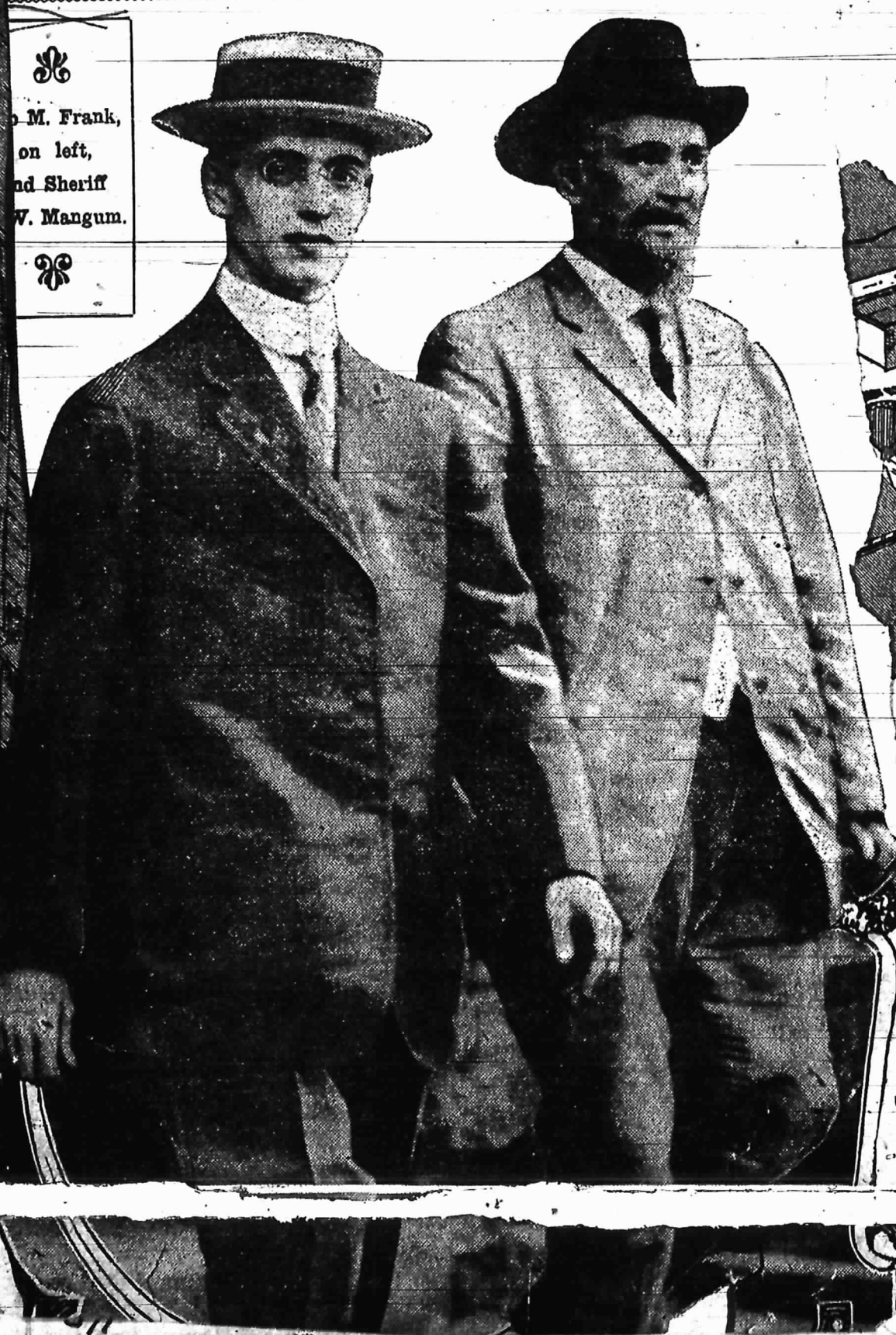


STATE'S EXHIBIT A.

state's diagram of the pencil factory.

DEFENSE BATT

RISONER FRANK AND SHERIFF
ON WAY FROM JAIL TO COURT



M. Frank,
on left,
and Sheriff
W. Mangum.

STATE'S EXHIBIT B.

Frank's statement made before N.A. Sanford, 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 Aug. 10, 1908. My place of business is at 37 to 41 So. 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 come 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 4th 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 three 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, and 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 came 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 nightwatchman. 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 tomorrow because I may go to the ball game" and he come early, ~~and he come early~~ because of that fact; I told him to come early and he come 20 minutes to 4. I figured 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, ~~we have told him once he gets in that building~~

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