

and stayed about an hour. He talked to me, my stenographer, Miss Hattie Hall, and Mr. Gottheimer, one of the salesmen. Up to about a year ago I went to the factory almost every Saturday afternoon. Mr. Frank would always be working at his desk on the financial sheet. The telephone in my house is about 20 feet from my bed. I did not hear it ring Sunday morning. My wife was aroused by its ringing and she waked me. The man at the other end asked me if I could identify a girl that was killed in the basement of the pencil factory. I referred him to Mr. Darley who was most familiar with the help in the factory. After breakfast Mr. Frank came to my house. It was a raw, chilly morning. He was no more nervous than we were about the murder when we saw him that morning. I was very much agitated and trembled. My wife was very nervous and commenced to cry. I saw no marks, scratches or discolorations of any sort on his face, and there were no spots on his clothing. I went to the factory that morning and made a general examination, including the metal room. We saw nothing on the floor. Frank was very much nervous and agitated when he told us about the occurrence. We have a great many accidents in the metal room. They would be brought to the front of the building into the office. I heard that about nine o'clock Monday morning Mr. Frank had been taken to police headquarters. I knew that he had a very limited acquaintance there and I therefore telephoned for Mr. Herbert Haas, my personal counsel and counsel for the pencil company to go down there. Mr. Haas answered that he didn't like to leave home that morning, that his wife was expecting a new arrival, so I sent my automobile after him. Mr. Haas came back and said he was refused admittance to Mr. Frank at the station house, and said he was going to telephone Mr. Rosser. He then telephoned for Mr. Rosser. That was between half past ten and eleven. Mr. Rosser came down to the station house thirty of forty minutes later. I saw Mr. Rosser go upstairs. About forty minutes later Mr. Black and Mr. Haas left police headquarters with Mr. Frank. I always received the financial sheet on Monday morning. Mr. Frank would bring them over in envelopes. I saw the financial sheet of April 24 (defendant's exhibit 2) on Monday afternoon about three o'clock. That was after Mr. Schiff called me over the telephone and asked me if I would sanction the employment of the Pinkertons to ferret out this crime, and I told Mr. Schiff to go ahead. I told him and Mr. Darley to help the authorities all in their power to find out the murderer, whoever he might be.

CROSS EXAMINATION.

Mr. Frank was well acquainted with our attorney, Mr. Haas. He was president of the B'nai B'rith. The B'nai B'rith has between four or five hundred members, I should say. When I say that Mr. Frank had a limited acquaintance, I meant that the people around police headquarters did not know Mr. Frank. Mr. Frank did not ask for an attorney. Mr. Schiff told me that Mr. Frank had spoken to him about employing the Pinkertons. Mr. Frank was very nervous when he was at my house Sunday morning. He