

MARY RICH, SWORN (before Commissioner D.O. Smith) I knew Jim Conley on April 26, 1913. I don't know whether I would know him now or not.

Jim said it was <sup>our Holiday,</sup> Memorial Day. I saw him after the noon hour, after

two o'clock. I asked a man who come along and he said it was 2:30.

Jim had gone ~~on~~ <sup>and so I can not give the definite time</sup> at that time. I saw him between Madison Ave. and For-

syth St. on Hunter St. where I have been selling lunches for 3 or 4

years. He bought a 20¢ dinner from me and has not paid me yet. I

was busy when he left and I don't know where he went. I don't know

what direction he came from or went to when he left me. I have not

seen him since. Mr. Dorsey is the only man I have talked to about my

testimony. No one carried me there to see him. I went by myself.

Mr. Dorsey did not try to get me to say it was Labor day instead

of Memorial Day. I told him Jim said "It was our Holiday. "

D. O. SMITH, Sworn for the Movant. I acted as Commissioner under the court order in the case to take the depositions of Mary Rich. This woman Mary Rich was very loath to begin answering any of the questions asked and it was with great difficulty she could be made to begin answering any of the questions. She stated she only wanted to give her evidence before Solicitor General Dorsey, or in Court, and repeatedly insisted that she did not want to testify except in Mr. Dorsey's presence or in court, as she did not know me or whether I had any right to question her.

#### GROUND 16

G. BURTIS DALTON, Sworn for the Movant. The newspaper accounts of said murder was the topic of general conversation at the boarding house where I was living, and during one of the several conversations that daily took place there regarding the very sad murder, I made the remark that I had been to the National Pencil factory several times, and this I confided to a fellow boarder named R.L. Mann, also that I had had immoral relations with a girl in the basement of the said National Pencil factory, and I thought no more of my remark until one day when city detectives Campbell and Starnes called at my boarding house and told me that Mr. R.L. Mann had reported to them that I knew some bad things against Leo M. Frank. I at once became indignant and promptly told the detectives that if R.L. Mann or any other person had reported to them that I knew anything bad against Leo M. Frank or against his character, that said informer or informers were