

out of said alley on any date; and neither is it true that Conley after purchasing a dinner from me on the 26th of April, 1913, went back to the aforesaid alley in the direction of the pencil factory. I never told anybody at any time or place that I saw Jim Conley come out of the alley immediately in the rear of the National Pencil Company's factory, or that after purchasing said dinner, said Conley went back to the aforesaid alley in the direction of the pencil factory. I am the only Mary Rich that I ever knew to keep a lunch stand between Forsyth Street and Madison Avenue on Hunter St. My daughter, whose name is also Mary Rich has nothing to do with the stand and did not keep the same for me or have anything to do with it on April 26, 1913.

(Attached to the above affidavit is the business card of C.W. Burke)

F.H. WELLBORN, Sworn for the State. I know Mrs. Leo Frank and Rabbi David Marx when I see them. I also know an old negro woman who sells lunches by the name of Mary Rich, she having sold lunches near my place of business. Sometime recently I saw talking to this negro woman, Mary Rich, Mrs. Leo M. Frank, Rabbi David Marx and two other men. I don't know who the other men were. I moved over as near as I could get to these people and stood as close as I could without attracting their attention. I did not hear anything that anybody said, except what Mrs. Frank said to Mary Rich and what one of the two unknown men said at the conclusion of the discussion.

A great deal was said because they talked to her for about an hour. I remained there listening about thirty minutes. I heard Mrs. Leo M. Frank, among other things say, to Marx Mary Rich, "If you will sign this affidavit, you will take the rope from around my husband's neck." Mary Rich said in reply to that "I could not tell a lie". Mary Rich finally refused to sign the paper, and as they went to leave one of the unknown men said to her tearing off a piece of the paper which was in his hand, "Here keep this paper, and when you get in trouble you may know the cause of it. The piece of paper is hereto attached. I examined this paper carefully and it resembles in every respect the paper torn off by the unknown man on the occasion above set out and left with Mary Rich, and is the same piece of paper there torn off. Mary replied that she