

chain gang for stealing in Walton County in 1894. We all pleaded guilty. The others paid out. I don't know how long I served. I stole a shop hammer. That was case No. 1. There were three cases and the sentences were concurrent. One of the other Daltons stole a plow and I don't know what the other one stole. I was with them. In 1899 at the February Term of Walton Superior Court I was indicted for helping steal a bale of cotton. In Gwinnett County I was prosecuted for stealing corn, but I came clear.

RE-DIRECT EXAMINATION. It has been 18 or 20 years since I have been in trouble. I was drunk with the two Dalton boys when we got into that hammer and plow stock scrape.

CROSS EXAMINATION. I don't know whether I was indicted in 1906 in Walton County for selling liquor. I know Dan Hillman and I know Bob Harris, I don't know whether I was indicted for selling liquor to them or not.

RE-DIRECT EXAMINATION. Miss Daisy Hopkins knows Mr. Frank and I have seen her talking to him and she told me about it."

I have never signed any paper or statement which I knew to be a re-

traction of the above evidence or of any part of that evidence, and *it is true as given.*

About two months ago Mr. C. W. Burke of Atlanta came to see me in Fort Myers, Fla., where I was then working. I have been working for Mr. Heifner, a contractor, for about three years and Mr. Heifner had sent me to Fort Myers, Fla. to superintend his boat business at that place. Mr. Burke told me he wanted to talk with me about the Frank case. He came to the River Side Hotel, where I was staying, but he missed seeing me, because I didn't want to see him and I stayed out late. He sent a messenger to me with a message as if it was a night telegram. I thought it best to keep Burke from worrying me so I went to see him at the Bradford Hotel. He asked me about how Mr. Dorsey and Starnes and Campbell questioned me before the trial and whether they didn't try to make me say things that were not so, and I told him "no" and that they had acted in a perfectly proper way in their questions to me. Burke then asked me to sign a paper to go before the pardon board then in session in Atlanta. He wanted me to sign the paper to help get the pardon board to keep Frank from hanging. He offered to give me \$100. if I would sign the paper. This paper was in handwriting. I didn't sign the paper. The next day he came out to Frogtown, near Fort Myers, where I was working. He had a typewritten paper which he wanted me to sign, because he was leaving for Atlanta right away. He said it was the same as the paper he had showed me last night before. He read a part of it to me. The part he read didn't say anything about taking back evidence or about my having said anything that wasn't true at the trial. I finally signed the paper which he had. He told me to come up to his hotel that night and he would give me the money. I went to the hotel that night, but he had gone. I asked if he had left