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said plate which had remained in the possession of Foote & Davies and was still in their possession. I neither admitted or stated to R.A.DeVore or to any other person that I had had the engraving company to touch up said plate in certain places, nor did I state to said DeVore or to anyone else that this touching up was done to eliminate the dirty background or to bring out the writing more clearly or for any other purpose. At the time said pamphlet was printed, the question of Becker's signature and the invoice number had not been suggested.

H. W. OATTIS, Sworn for the State. I am connected with the fire department of the city of Atlanta, in the capacity of fire inspector and have been serving in this capacity as fire inspector since February 1, 1910. I am familiar with the building on South Forsyth Street, partially occupied by the National Pencil Company. It was my duty to make frequent inspections of this building from time to time to see that those in charge complied with the ordinances and regulations as to fire risks and hazards. I frequently did make, from time to time such inspections, including the basement of this building, owing to the fact that this building was an old one, and in this basement was a furnace. I am personally acquainted with Leo M. Frank and also with Mr. Darley, both of whom were connected with the National Pencil Company. From time to time I called their attention to the fact that they were failing to comply with the city ordinances and especially as to accumulation of trash and paper and other combustible material and I have personally heard both Mr. Frank and Mr. Darley give specific directions to their negro employees to clean up this trash and to keep it cleaned up. I have compelled the officials, including Mr. Frank and Mr. Darley, through their employees to clean up the basement of the factory in compliance with the ordinance of the City of Atlanta, Code section 1099. ^{of} Pursuing the terms of the said ordinance, I did inspect from time to time the basement of the National Pencil Factory during the period prior to April 26, 1913, and from the date indicated, that is from and about February 1, 1910, regularly and continuously up to April 26, 1913 and since that date. Mr. Frank took up with me the matter of being allowed to place empty boxes for shipping, temporarily in the basement, which was allowed, provided