

Unabridged Deposition of Leo Frank, Monday, April 28, 1913, Abridged as State's Exhibit B in the 1913 Leo Frank Trial Brief of Evidence. The Unabridged Version Published Within Atlanta Constitution, August 2nd, 1913

Unsworn deposition of Leo Frank to Atlanta Georgia Chief of Detectives Newport A. Lanford at the Capitol Station house, stenography by Gay C., February, Monday, April 28, 1913. Printed in the Atlanta Constitution, dated, August 2, 1913. Source: Brief of Evidence, 1913.

Question: What is your position with the company?

Answer: I am general superintendent and director of the company.

Question: How long have you held that position?

Answer: In Atlanta, I have held that position since August 10th, 1908. My place of business is at 37-41 South Forsyth Street.

Question: About how many employees have you there?

Answer: About 107* in that plant? (typo, the actual number of employees was 170)

Question: Male or female?

Answer: Mixed. I guess there are a few more girls than boys.

Question: On Saturday, April 26, I will get you to state if that was a holiday with your company?

Answer: Yes, sir, it was a holiday. The factory was shut down.

Several People in Building of the National Pencil Company.

Question: Who was in that building during the day?

Answer: Well, there were several people who come in during the morning?

Question: Was anyone in the office with you up, to noon?

Answer: Yes, sir, the office boy [Alonzo Mann] and a stenographer [Hattie Hall].

Question: What time did they leave?

Answer: About 12 or a little after.

Question: Have you a day watchman there?

Answer: Yes, Sir.

Question: Was he on duty at 12 o'clock?

Answer: No, sir, he left shortly before.

Question: Who came in after the stenographer and the office boy left?

Answer: This little girl. Mary Phagan, but at the time I didn't know that was her name. She came in between 12:05 [PM] and 12:10 [PM], maybe 12:07 [PM], to get her pay envelope, her salary.

Leo Frank Pays Mary Phagan:

Question: You paid her?

Answer: Yes, sir, and she went out of the office.

Question: What office was you in at that time?

Answer: In the inner office at my desk, the furtherest office to the left from the main office.

Question: Could you see the direction she went in when she left?

Answer:: My impression was she just walked away I didn't pay any particular attention.

Question: Do you keep the door locked downstairs?

Answer: I didn't that morning, because the mail was coming in. I locked it at 1:10 p.m. when I went to dinner.

Question: Was anyone else in that building?

Answer: Yes, sir, Arthur White and Harry Denham, they were working on machinery, doing repair work, working on the top floor of the building, which is the fourth floor, toward the rear, or about the middle of the building, but a little more to the rear.

Question: What kind of work were they doing?

Answer: They were tightening up the belts; they are not machinists, one is a foreman in one department and the other is an assistant in another, and Denham was just assisting White, and Mrs. White, the wife of Arthur White, was also in the building. She left about 1 o'clock. I went up there and told them I was going to dinner, and they had to get out and they said they had not finished, and I said, "how long will it take?" and they said until some time in the afternoon, and then I said, "Mrs. White, you will have to go, for I am going to lock these boys in here."

The Door was Locked:

Question: Can anyone from the inside open those doors?

Answer: They can open the outside door, but not the inside door, which I locked.

Question: In going in the outside door, is there any way by which anyone could go in the basement from the front?

Answer: Yes sir, through the trap door.

Question: They would not necessarily have to go up the steps?

Answer: No, sir, they couldn't get up there if I was out.

Question: You locked the outer door?

Answer: Yes, sir, and I locked the inner door.

Question: What time did you get back?

Answer: At 3 o'clock [PM], maybe two or three minutes before, and I went to the office and took off my coat and then went upstairs to tell those boys I was back, and I couldn't find them at first, they were back in the dipping room, in the rear, and I said, Are you ready? and they said, We are just ready, and I said, all right, ring out when you go down, to let me know when you go out, and they rang out, and Arthur White come in the office and said, Mr. Frank, loan me \$2, and I said, What's the matter? We just paid off, and he said, My wife robbed me, and I gave him \$2 and he walked away, and the two of them walked out.

Newt Lee Arrives.

Question: And you locked the doors behind them?

Answer: I locked the outer door, when I am in there, there is no need of locking the inner door. There was only one person I was looking for to come in, and that was the nightwatchman.

Question: What time did he get there?

Answer: I saw him twenty minutes to 4:00 o'clock [about 3:40 PM]

Question: Had you previously arranged for him to get there?

Answer: Yes, sir. On Friday night [April 25, 1913,] I told him, after he got his money, I gave him the keys and said you had better come around early tomorrow, because I may go to the ball game, and he came early because of that fact. I told him to be there by 4 o'clock [PM] and he came 20 minutes to 4:00 [PM]. I figured, I would leave about 1, and would not come back, but it was so cold I didn't want to risk catching cold, and I came back to the factory as I usually do. He came in, and he said, Yes, sir, and he had a bag of bananas with him, and he offered me a banana. I didn't see them, but he offered me one, and I guess he had them. We have told him, once he gets in that building never to go out. I told him he could go out, he got there so early, and I was going to be there. He came back about four minutes to 6:00 [PM], the reason I know that, I was putting the clock slips in, and the clock was right in front of me. I said, I will be reading in a minute, and he went downstairs and I came to the office and put on my coat and hat, and followed him and went out.

Saw Newt Lee and James Milton Gantt Talking

Question: Did you see anybody with him as you went out?

Answer: Yes, sir; talking to him was J.M. Gantt — a man I had fired about two weeks previous.

Question: Did you have any talk with Gantt?

Answer: Newt told me he wanted to go up to get a pair of shoes he left while he was working there, and Gantt said to me, Newt don't want me to go up, and he said you can go with me, Mr. Frank, and I said, that's all right, go with him Newt and I went on home and I got home about 6:25 p.m.

Question: Is there anything else that happened that afternoon?

Answer: No, sir, that's all I know.

Question: You don't know what time Gantt came down after he went up?

Answer: Oh, no, I saw him go in and I locked the door after him, but I didn't try them.

Question: Did you ask Newt?

Answer: Yes, sir, I telephoned him. I tried to telephone him when I got home. He punches the clock at half hour intervals, and the clock and the phone is in the office and didn't get an answer, and at 7 o'clock [PM], I called him [at 7:30 PM] and asked him if Gantt got his shoes, and he said yes, he got them and I said is everything all right, and he said yes [phone call ended], and the next thing I know they called me at 7:30 a.m. the next morning [on Sunday, April 27, 1913].

Did Newt Lee Let People In?

Question: Do you know whether your watchman [Newt Lee] at any time has been in the habit of letting people in there any time?

Answer: No, sir.

Question: did you ever have any trouble with any watchman [Newt Lee] about such as that?

Answer: No, sir.

Question: Do you know whether any of your employees go there at night?

Answer: Yes sir, [James] Gantt did when he was working there, he had a key and sometimes he would have some work left over. I never have seen him go but until I go out, I go out and come back, but he has come back before I left, but that is part of his duty.

Question: Did you take a bath yesterday [on Sunday, April 27, 1913] or Saturday night [April 26, 1913]?

Answer: Yes, sir. Saturday night [April 26, 1913,] at home.

Question: Did you change your clothes?

Answer: Yes sir.

Question: The clothes that you changed are at home [in 68 East Georgia Ave]?

Answer: Yes sir, and this is the suit of clothes I was wearing Saturday [April 26, 1913]. After I left the shop I went to Jacobs Pharmacy and bought a box of candy for my wife and got home about 6:25 [PM].

End of Leo Frank deposition to Atlanta Police on Monday, April 28th, 1913