Amazing Testimony of Conley Marks Crucial Point of Trial; Says Frank Admitted Crime

The crucial point of the entire case of the state versus Leo M. Frank, charged with the murder of little Mary Phagan, an employee in the National Pencil factory, of which he was superintendent, came Monday morning when Phagan, an employee in the National Pencil factory, of which he was super-intendent, came Monday morning when after putting one or two witnesses back on the stand to bring out minor points. Solicitor Ifugh Dorsey called out, "Bring in Jim Conley."

The state had been gradually paving the way for the testimony of the negro sweeper who declares that Frank

called on him to hide the body of the dead girl and told him that "he had struck her too hard," and as the darkey's name was called out a murmur ran through the crowded courtroom and several women spectators aven clapped their hands together before the sheriff's deputies could restore order.

Jim Conley came in after a short wait. Police Chief James L. Beavers had brought the negro from the station house in his automobile and the negro came slowly into the courtroom walking directly in front of the chief and with no handcuffs or other evidences of belong a reference. being a prisoner.

Conley on the Stand.

After the usual questions to establish his identity the solicitor asked: "Do you know Leo M. Frank?"
"Yes, sir."

"Yes, sir."
"Point him out."
The negro did so, indicating with his right hand the defendant who was sitting within a few feet of him.
"Did you talk to him on Friday, April 25, of this year?"
"Yes, sir."
"Tall about it and what was reid?"

"Tell about it and what was said?" "Well, about 3 o'clock that day Mr.
Frank came up to where I was at work
and told me to come back Saturday
morning that he had work for me to

"How long had you been working at the factory? "About two years."

"About two years."

"Had you over gone back before for Mr. Frank?"

"Yes, sir;" replied the negro.

"Did he give you any instructions about coming back enturday?"

"I dunno what you mean by 'instructions'," said the witness.

"Well, did he tell you what he wanted you to do on Saturday when you

ed you to do on Saturday when you came back?"

"He told me to come back there Saturday about 8 o'clock."

"Did you go?"
"Yes, sir." "What time did you get there?"
"Bout half pas' eight."
"Who got there first, you or Frank?"
"We both got there 'bout the same

"Well, I said, 'Good mornin', Mr. Frank,' an' he said, 'Good mornin', Jim.' an' I followed him into the building an' I followed him into the building right away. He then told me I was there rather earlier than he thought I'd be there and that he wanted me to watch the door for him, as I'd done lots o' times before."

"Had you ever watched the 45er before?"

"Why did you watch the door, what

Frank Trusted Negro.
"Well, when Mr. Frank would have young ladies up dere to chat with them

oding names which the door for him while dey wuz chattin!"
"Well, I dunno bout dat, but dey wuz

up dere whilse I witched do door; dat's what I had to watch it fur, so's nobody could disturb 'em while he and de ladies wuz chatth'."

"How many times had you watched the door for Frank before that day?" "I can't remember 'zactly how many times, but it was lots o' times I'd done

"Well, tell us some particular time that you'd watched the door before."
"Well, I 'members watchin' de door on last Thanksgiving day for him; dere was a big, handsome lady up dere then and another man and another lady, too. They all stayed up in the factory whilze I watched de door,"
"Well, go back to that day,"
"Well, when Mr. Frank said I was

dore too early I tole him I'd go down to the Capital City laundry and see or pusson an' come back, and he said for no to be shore and be back in 40 min-

"Did you come back, and when did

you next see Frank?"
"Well, sir, he told me to meet him on Forsyth street near Nelson street, tong where Montag's is, an' I mot him there."

time did you meet him What there?" dunno 'zactly."

"I dunno 'zactly."

"About what time was it?"

"Weil, it was about hair past ten."

Meet By Appointment.

"You met Frank there, which way did he come from?"

"He came on his way to Montag's."

"Did he say anything?"

"Yes, sir."

"What was it?"

"He said, 'Ha, ha, youse here's is you,' an' I said, 'Yes, sir, Mr. Frank I's here all right."

"Well, what did he say then?"

"He told me to wait there for him

I's here all right."

"Well, what did he say then?"

"He told me to wait there for him while he went on to Montag's and he said he'd be righ back."

"Did he come back?"

"Yes, sir; he come back in a few minutes and told me to come on with him and I followed him down the street, going towards the factory."

"Did you go to the factory and no where clea?"

"Well sir, we stonned in at Curtical."

"Well sir, we stopped in at Curtis' drug store, least Mr. Frank went n there a moment and I waited for him, an' then we went on down the street, me er followin' Mr. Frank and enet he looked back to say something to me an' he run into a little baby on the sidewalk and I 'members that 'cause the man what was with the baby looks dat me like he thought I done it, but the white man didn't say nothing and Mr. Frank and I went on to the factory, and he shall me layer of the layer. factory and he told me to go alt on a box near a trash pile on the first floor and I did that.

and I did that.

Aranges Signals.

"Then he said, 'Jim, there'll be a young lady up here to chat with me in a while an' I want you to watch the door whilse we are up there. I wants you to do jest like you alius do, he says, 'ar I when a lady goes an if I stomp my feets on the lor, you go an' I ek the front door an' then when you hear me whistle, you go an' unlock the door and got back some-"Well, did you start to watching then?"

"Yes, sir; Mr. Frank, he went on up-stairs and I started to watch an' bimeby Mr. Darley, he came up and went on up the steps and then Miss Mattle Smith, she come up and then came on back down and in or little while Mr. back down and in or little while Mr. Darley, he come back and went on out right after Miss Mattie an' he patted her on the back an' I heard him say, 'Dat's all right Miss Smith, you jes wait; you'll get dat on next Saturday an' you needn't worry no more.' Dat was all I heard 'em say and de lady went on out, wiping her eyes with a handkerchief, an' Mr. Darley went back up stairs."

back up stairs."
"Was this talking between the two

"Well, what happened then?"
"Well, after de lady done let, then
Mr. Darley let too."
"Well, go on, what happened next?"
"Well, a lady, she some in and went
up the stairs and then a nigger come on in. He was a nigger drayman er peg-leg nigger, and he went up the stairs and I waited around or while and Mr. Darley and Mr. Holloway bof came down and left, and then Mr. Quinn come in and he went up stairs."

"How long did he stay?"
"He stayed just er little while and he came down and left."
"Who came next?"

Mary Phagen Came.

"Den de lady, she came up and went up do steps."
"What ludy?" asked the solicitor.

"What huly?" asked the solicitor.
"Do lady what's dead."
"What is her maine?"
"Miss Mary—Miss Mary Perkins, I allus called hor," said the negro wit-

"Well, go on." "Well, do on."

"Well, den I hears footsteps an'
thought that two people was coming from the office and going to come
down de steps, but I hear the footsteps all pass the head of the steps
and go back towards the back of the
building, back towards the metal room, an' after a little while I heard a lady scream back there an' then everything

got quiet again."
"Well, what took place next?" "Well, what took place next?"
"Well, dis Miss Montee Stover, she come on in an wont up the steps."
"How was she dressed?"
"She had on er rain coat an' tennis

"lind you ever seen her beforel Did

you know her?" asked Dorsey,
"Yes, sir; I'd seen her onet or
twice befo' an' I knowed who she

vas."
"Go on, Jim," urged the solicitor.
"Well, dis Miss Monteen Stover, she "Well, dis Miss Monteen Stover, she come on down and everything was quiet and don I heard somebody the ton' from de back of the building towards the head of the stairs on the second floor, sounded tak dey wuz kinder runnin' on doy toos," he added

kinder runnin' on doy toos," he added.

"Then I heard somebody go back towards the metal room on doy tiptoes again, an' bout dat time I dos dozed off an' I waked sometime later, I dunno how long 'twas, but it wux Mr. Frank er stompin' on de fioor above what waked me. I locked de door lak he done tole me to do when I heard him er stompin' an' finally he began to whistic and I unlocked de door and went back to my box and den in a few minutes I walked up doy stops."

"Did you see Frank then?"

Frank Was Scared. "Yes, sir; I seed him. He was stand-in dere in his office jes er shiverin' an' er rubbin' his hands togother an' he had er cord in one han'."
"Did you look at his eyes?"
"Yes, sir."

"Dey was large and he looked funny out of them."

"How did his face look?"
"His face was all red like."

"His face was all red like."
"Is this the cord you saw?" asked the solicitor, displaying a small piece of wrapping twine similar to that found tied around the dead girl's neck. "Well, it was cord jes like dat," re-plied the witness.

plied the witness.

"What was said?"

"Well, sir; Mr. Frank asked me of I'd seed or giri come up and I told him I'd seed two of 'om come up and seed one of 'em go back down, but I hadn't seed the other go down yet.

"Then he said I never would see on of Then he said I never would see on of them go back down." "He said that the little girl went

to the metal department with him and he tried to be with her and when she tried to stop him he guessed he hit

her too hard.
"'Jim,' he says to me, 'You know
I nin't made like other men.'" added

the negro witness.
"Had you ever seen that he was not made like other men?" asked the so-

"Yes, sir." "When?"

"Well, on las' Thanksgiving day, for nstance, I seed him with a lady up The negro sweeper then went on to

The negro sweeper than went on to describe in detail what he claims to have seen in regard to Frank and his conduct with women and with girls in the factory and declared that what he was telling he had seen with his "liad you seen this often?" asked

Mr. Dorsey,
"Yes, sir; several times."
"In this factory?"

"You, sir. Finds Girl Dead.

"Well, what did Frank tell you to do when you came upstairs?"

"He told me to go on back and get the girl and bring her up there and I went back and found her lying there on her back with her hands kinder stretched out above her head and a cord tied round her neck."

With a cord furnished by the solicitor the negro showed the jury how he meant the cord was tied around the dead girl's neck.

dead girl's neck.
"She was dead and when I saw that

I went back to where Mr. Frank was in his office and told him that the girl was dead an' he then told me to get a piece of cloth and the her up in it and take her downstairs to the basement. He said I could get a piece of dat baggin' like doy wrap cotten in and that it was in or lox on cotten in and that it was in or box on the same floor and I got it and went

back to wrap her up.
"I took the young girl," the negro-said, "an pulled her hands down to her sides and closed hor feet together and wrapped the sack around her, and then I got kinder scared and went back to see Mr. Frank and I looked at er clock and it was four minutes to

At the solicitor's order Conley then pointed out to the jury on the cross-section diagram of the building the spot where he had found the body. "I went on and I walked up to Mr. Frank and told him that girl was dead and he done just like this and said, 'Shh'" the negro held up one hand as persons do when they warn another

to stop talking.
The negro then pointed out where he got the bagging to wrap the dead girl in. "I then rolled the dead lady over

and went on and fied her up in the 'Why did you do this?" the solicitor

interrupted the growscme story.
"Well, Mr. Frank, he was my hoss and he tole me to," said the negro simply. 'Go shead," replied the solicitor.

"Well, I saw her hat and a piece of ribbon lying on the floor and I layed that across her and tied her up jos like er washerwoman does clothes on dem from the white folks' house to wash 'em. I picked her up and she

was so heavy I drapped her on the floor and when she fell that scared me and I called to Mr. Frank to come help me.

'He said he would and he come run-"He said he would and he come running back there on his throes and he was trembling awful like, but he grabbed her by the feet and helped me carry her to the elevator. We started on down and at the first floor the elevator hung up and finally we get it started again and went on down it started again and went on down to the basement and Mr. Frank told me to take the body on back to the far back end of the basement and put it on the sawdust pile and I did, half draggin' it, it was so heavy," he ad-

Threw Rody In Corner.

"I throwed her down and took off "I throwed nor down and took on the cloth she was wrapped in and her umbrella and hat fell to one side and I picked them up and started back towards the clovator and called out to Mr. Frank to ask him what I was to do with the umbrella and hat and he said drop them right there and I flung 'ein to one side,
"Coming up the elevator Mr. Frank
went to get off and he was so excited

went to get off and he was so excited he could not wait for the car to stop, but jumped off and fell an' the car dwor hit me or awful whack on the shoulder." Here the darkey rubbed his right shoulder and winched, as though the remembrance of the pain

though the remembrance of the pain made it hurt again.

"And Mr. Frank, he went on back to the sink to wash his hands where he'd got them dirty when he fell and as he went he says, Gee! that was a tresome fob."

"Way his feet red then?"

"Was his face red then?"
"Yes, sir; and his eyes was looking like diamonds."

"What happened next?"
"Well, he heard someone er coming and he made me hide in the wardrobe for foar they'd see me and he shut me up in there and I heard someone come in the office and talk to him and then they went out together and after a while, when I thought I would jes die in that close place he came back

die in that close place "," and let me out, here a long time and he said, 'I here a long time," and he said, 'I recken I did Jim, you are all sweating,' and he gave me some cigarettes out of a box and told me I could the rules to out of a box and told me I could smoke. It was against the rules to smoke ever in the factory, but he told me to go ahead and smoke.

"What did he do then?" asked Mr.

"Well, he sat dere in the chair an' squirmed about and finally he said, 'you can write, can't you Jim,' and I told him that I could that I'd written

before him.
"He then said there was only one way for us both to get out of it and asked if I'd help him and I told him I would. He was a white man and my superintendent," explained the witness, "and I thought I ought to help him out of his trouble.

Jim Writes the Notes.

"An he made me write some notes for him, he telling me what to write and when I had written four notes he slapped me on the back and said that was right, that was fine, and he took out a nice roll of greenbacks and handed them to me and I said, 'Mr. Frank, I'm going to take some or this money to new for my watch', and he money to pay for my watch,' and he said I needn't worry about that watch, that we'd both have plenty of money, and wouldn't have to worry about

and wouldn't have to worry about nothing.

"Jim," he went on, 'I've got lots of money shat I've saved up; that fat wife c' mine wanted to buy an automobile, but I wouln't do it, I've saved my money.'

"Then he told me he wanted me to to the busement after a white for

"Then he told me he wanted me to go to the busement after a white for him and then he asked me to hand that money he'd give me back to him for a minute and I thought he wanted to count it and I handed it to him and jos kept the little money what he had given me with the cigarette box.

"Well, then he put the money in his pocket an said that it would be all right about that and finally he jumped up and ciapped his feet together and he says, 'Why should I hang? I've ket wealthy folks and they'll care for me.'

mo. "Then he tole me to take the notes "Then he tole me to take the notes and put them near the dead lady's body and said, 'What ever you do. Jim, you keep your mouth shut,' and I promised him I would and went and put the notes by the body and then I came back and he said he wanted me to come back there in about 40 minutes, but I could go out for a white. "Well, what did you do then?" asked Mr. Dorsey.

od Mr. Dorsey.
"I went to a near-beer saloon and bought a 'double-hender' and some sandwiches and fooled around in the place for a while and then I looked at a clock and it was twenty minutes to two and I came out with a nigger

and he made me lend him a dime. Jim Goes Home.

"After a while I decided I would go on out home and give the old lady some money to pay the rent with be-fore I went back to the factory and I got there and found no dinner ready for me and I give a nigger chile a quarter and says, 'here, you kid, you run up to dat store and buy me some sandwiches,' and when I got dem I ate 'em and wont to sleep and when I woke up it was about 6 o'clock."
"Did you see Frank again that day?" asked Mr. Dorsey.
"No."

"No sir, next time I seed him was on or Tuesday following when I saw him at the factory and he came up and told me to keep my mouth shut and then he said for me to come back to the office after a while that he wanted to see me, and I thought he was intending to give me back that

money.
"Then I worked around during the day and finally one of the ladies told me that Mr. Frank had been 'rested," Mr. Dorsey then had the negro identify the dead girl's parasol,
"Did Mr. Frank know you could write?" the solicitor then asked.

'Yes sir, he knowed I could write."

"How did he know?"
"Well, when I'd be cleaning up I'd have to count the boxes lying around and write down the number of them on a piece of paper, and Mr. Frank told me to do that and furnished the paper for me."

"When were you first arrested,

"I was arrested on May 1."
"Look at these tablets and notes and see if the notes are the ones you wrote at Mr. Frank's dictation," said the solicitor. "Dem's the ones," said Conley,

Jim?"

"Venus the ones," said Conley,
"Where did you get them?"
"That young man right over there,
he give them to me, he knows all
about it," said Conley, pointing to
where Frank sat watching him closely,

where Frank sat watcoming aim closely,
"What did he tell you to write?"
asked Mr. Dorsey.
"Jos what's on those notes there.
I wrote jes lak he said."

Indicates Movements on Diagram. Solicitor Dorsey then had Conley point out on the diagram his movements in the factory that day. The negro used the cross section drawing of the building and seemed to have much less trouble understanding it than New Lee had experienced.

have much less trouble understanding it than Newt Lee had experienced.

He pointed out first the furnace where he said Frank had intended to burn the girl's body, and thus destroy every evidence of the orimo.

"I was to help do that when I came back in the forty minutes Mr. Frank had allowed me," he said, "but

I didn't come back no more."
"Could you have put the body in
the furnace?" asked Mr. Dorsey.
"I don't know; I didn't try it," re-

plied Conley.
"Do you know anything about the back door?"

"No sir, not a thing."
"Do you know what became of the notes you wrote?"

notes you wrote?"
"No sir, I didn't hear anything more about them till I was in prison down at the police station."
"What time did you leave home that morning, Jim?" Mr. Dorsey then asked.
"About 7 or half past," said the

negro.
"Who left the factory first after

"Who left the factory first after you had put the body in the basement, you or Frank?"

"I left first, and Mr. Frank, he was standing there watching me like he was afraid I wouldn't go straight out."

Doesn't Remember Woman's Name.

"Do you know the name of the wom-

No sir, I don't. There was two ladies and another man." "What was the man's name?"

"His name was Mr. Dawson." "Who was it who came into the office that Saturday when Frank had you locked up in the wardrobe?"
"I don't know, sir." Conley was then made to point on

the cross section the place where he had sat on a box and watched the "What sort of work had you done around the factory, Jim?"
"I worked on the elevator until last
Christmas and then they took me off

and put me to cleaning up the build-"Do you know Mrs. Arthur White?"

"No sir."
Mr. Dorsey then requested a deputy Mr. Dorsey then requested a deputy to bring Mrs. White in.
"How did you find out that the girl was dead?" he continued while wait-ing for the woman to appear.
"When Mr. Frank sent me back there I touched her and found out she

was dead and I went and told him Mrs. White entered the courtroom at

this moment and was led to a spot facing the negro on the stand. "Did you see this lady that day?" asked the solicitor.

"No, sir, I never seed her."

The solicitor then requested that the defense allow him to put Mrs. White on the stand for a few moments, but Attorney Rosser flatly refused. Mrs. White was then asked to leave the courtreem was then asked to leave the courtroom and the examination went on.
"What did the lady look like that

you saw in Frank's office last Thanksgiving day?" Solicitor Dorsey asked. Describes Woman With Frank.

"She was a big, handsome woman, wearing a big hat and she had on white shoes and stockings," said Conley.
"Tell about other times you watch-

ed for Frank," said Dorsey.
"Well, I watched for him lots of times and sometimes he'd let another

man and woman come in and that man and woman would usually go down to the basement." "Tell us about that contract you made for a watch," said the solicitor. Attorney Rosser immediately

ed an objection, declaring that the negro's contract, if there was one, about a watch had nothing to do with the case. He gave Mr. Dorsey the chance to bring before the jury one of the strongest pieces of circumstantial evi-dence he had yet sprung, and in explaining to the judge before the jury his reasons for holding this part of

the testimony the solicitor played one of his strong cards.
"I want to show by this contract and by the testimony that Frank advised the regree about it and saw him sign it," said the solicitor, "that Frank knew that Conley could write, and yet that when Frank and Lee and Conley were locked up as suspects and detoctives were making Frank and Lee write so as to compare their pen-manship with that of the murder

notes, that Frank kept silent about knowing Conley could write."

Judge Roan allowed the testimony to be used and Conley was made to tell of some trouble he had got into over the purchase of a watch on the Installment plan and of how Frank had advised him in regard to it and been present when he signed a final contract in regard to the watch.

Rosser and Arnold Confer. At this juncture Attorneys Rosser and Reuben Arnold, for Frank, halted proceedings while they went into an ante-room for a conference. In the interim the solicitor had a bailiff bring the negro witness a glass of water, which he drank with every evidence of being thirsty.

The attorneys for the defense then

returned and Mr. Dorsey again took up his examination.
"How old are you, Jim?" asked the

solicitor. "I'm 27, sir."
"Whore did you work before you

went to the pencil factory?"
"I worked for Dr. Palmer."

"What made you quit there?"
"Well, I was driving for Dr. Palmer and he bought an automobile and he was a colored doctor and didn't know so I had to quit so's he could get somebody what could run that thing for him." how to run it and I didn't know Cross-Examination Begun.

Then at the solicitor's request be

Then at the solicitor's request he told of several other people and firms for which he had worked previous to getting a job at the pencil factory.

"That's all," the solicitor said finally, and turned his witness over to the tender mercles of the defense.

The negro was apparently as composed as appeared in the countries. posed as anybody in the courtroom when he finished telling his story and

he sat in the chair for a few minutes

seemingly at case while the defense made ready to go after him. When Attorney Rosser finally rose to his feet and took a few steps for-ward Conley was still entirely at case, but the speciators could see that the man who felt nervous was the solici-So much depended on Conley's actions during what the solicitor knew was coming that he could not help

show what he felt.

Mr. Rosser got up naturally and faced the darkey. He were a pleas-

nt and agreeable expression.

"Jim," he said, "how old are you?"

"Twenty-seven, boss," said Jim, and he seemed from the first question to warm up to the man who had started "Where were you born, Jim?"
"In Atlanta, Ga."
"When did you get your first job,

Jim? Bout 'leven years ago, sir."

"Bout 'leven years ago, sir."
"How old were you then?"
"Bout 'leven, I said; sir."
"I thought you said about eleven, years ago you got a job; you must have misunderstood me," said Mr. Rossor, and in the kindest of tones he straightened things out until the witestablished the fact that it was about sixteen years ago when he was eleven years old that he first got a

Conley Benms on Rosser.

Jim seemed to appreciate the ef-

forts of the white man to get him straightened out after he had misun-derstood him and the negro, who has rather a kindly face and the soft voiof the southern darkey, fairly beamed

upon his questioner. Wise lawyers in the courtroom wise lawyers in the courtroom asw what was coming. They realized that Mr. Rosser was reaching out for Jim like a small boy does for a dog he wants to get his hands on when the dog is rather shy and refuses to let himself be approached.

Like the boy who stoops down and chirps at the dog and shows friendship on his face, the shrewd lawyer conspired to get his hands on the witness. For the next half hour or more

he carried out the metaphor of the boy and the shy dog. boy and the shy dog.

Mr. Rosser and Jim Conley then went through a more or less connected story of Jim's early life, his school days and what he had learned in that rather short period of his life. Jim even told of how, like most boys, he did not care for his studies and never got so he could read much, but learned to count pretty well in later life when he worked as a drayman.

Here and there the lawyer corrected in a kindly tone certain discrepan-cles in the darkey's tale and helped him ket it straightened out. To the casual observer Attorney Rosser had only the kindest intentions toward Jim, but was possessed with a desire that amounted to an obsession in regard to Jim's store of learning and the men

for whom he had worked.

Rosser Toys With Words.

They took up again the subject of Jim's ability to read.

'Can you read the papers, Jim?"
Mr. Rosser finally daked.

Mr. Rosser finally disked.

"Yes, sir," replied Jim proudly: "I kin read 'em, only not much, i jes reads dis and dat in 'em."

"Oh, you jes read dis an dat," Mr. Rosser had dropped into the negro talk that all southerners know and that many of them use as children and naver spem to forge! and never seem to forget.

"You just look through the papers,
"You just look through the papers,
Jim, till you nd 'dis an' dat,' and you
read 'dis' and 'dat' and then you don't
read anything else," he said, as though a great understanding of the impor-tance of "dis an' dat" had just dawned upon him.

The lawyer went on making a play upon the words "dis" and "dat," which passed entirely over the negro's head, but which almost convulsed the courtroom with laughter.

"You said you used to work for Mr. Coates, Jim," said Mr. Rosser. "Can you spell 'Coates'?"
"No, sir; I can't spell that word."

"Can you spell 'search'??"
"No, sir, can't spell dat."
Then the lawyer named over a score or more of easy words, some of the simplest of which Jim proudly announced he could spell, and some of

Continued on Page Three.

AMAZING TESTIMONY OF'CONLEY MARKS TRIAL

Continued from Page Two.

which Jim proved that he could spell.

which Jim proved that he could spell.

Spella "Cat" With a "K."

"Can you spell 'cat,' Jim?"

"Yes, sir, I can spell dat word, sho','
Jim replied,

"You spell it with a 'K.' den't you."
said the lawyer encouragingly.

"Yes, sir, with a 'K.'" Jim replied,
and forthwith spelled it with a "K."

"Why sure you do," said Mr. Rosser.

"Jim, you and I understand each other
thoroughly, don't we?"

Jim face's showed that he could not
see what in the world a great big

and forthwith spelled it with a "K."

"Why sure you do," said Mr. Rosser.

"Jim. you and I understand each other thoroughly, don't we!"

Jim face's showed that he could not see what in the world a great big white man with the knowledge of Luther Rosser could want to take up the time in court to go into a spelling bee with him for, but he replied with his face beaming, "Yes, sir, we sho' does, sir."

Then followed more words for Jim to spell. The white man and the darkey had reached a perfect understanding, such as a white man and a negro have when they are raised together on the same big plantation.

What he could spell, Jim spelled, and what he could not he simply acknowledged he could not spell "mother," and Mr. Rosser took his word for a hunber of other words he asked him about, and only when Jim desired to prove beyond doubt did he even have to spell the word out.

Then Jim's education in mathematics was taken up and gone over in the same detailed and kindly way. Jim did not know what was meant by the word "figuring," but he did know what counting meant, and showed proudly that he could count just as far as Mr. Rosser would let him go, and he could add, too. Jim proudly added small sums, and all the time his face heamed and pride showed. The man who was exhibiting his knowledge for him took pains, as Jim knew, not to give him much that was hard, and Jim was making a splendid impression with his knowledge.

Then the lawyer started out on his real work, but so defity that no one much that was hard, and Jim was making a splendid impression with his knowledge.

Then the lawyer started out on his real work, but so deftly that no one realized it at the time.

"Jim," he began, "who did you work for first, and how long did you work there?"

"I worked for Mr. Truitt, of Ward & Truitt, for about a year," said Jim. "How long did you work for the

next man?"

"About five years," replied Jim.

The general interrogation had just led up naturally from Jim's school days to his life as a working man, and the same perfect understanding prevalled.

"You say you went to school only about a year in all?"

"Yes, sir."

Given Job by Schiff.

"Well, Jim, who gave you the job at the penell factory?"
"Mr. Schiff," replied Jim.
"idd Mr. Frank ever pay you off?"
"es, sir, sometimes."
"Tell me about how many times he paid you off."
"well, I don't know 'zactly; sometimes! let the other fellows draw my meney."
"ton," said the lawyer, "you'd sometimes get into debt and let other fellows draw your money go you could

remes get into debt and let other fel-lowe draw your money so you could escape the men you owed?"
"No, sir, I didn't want to get out of having; I'd let the men I owed draw my money because I wanted them to have it."
"What was soon as a section."

ave it."
"What was your pay a week?"
"\$(.05," replied Jim.
"Ita then said he did not want to
that then said he got, as it was so
that he was ashamed of it, and was tell mail he was round he was assumed of it, and was afraid that other niggers would hear about it.

M. Dorsey protested at this juncture that all this was entirely imminterial, but Mr. Rosser declared to the court that it was, that he wanted to show terr in facts about the negro and that he would show it later. Judge Roan sustained him.

rustained him.

Attorney Rosser then drew out of Jim the statement that when he owed a negro boy something like 15 cents he would take the boy into a near beer sale on and buy him three glasses of beer and settle the debt that way.

Never May Nightwatchman.

"Jim." said Mr. Rosser then, "what time did the nightwatchman come to work on Saturdays?"

"I don't know, sir."

c on Saturdays; don't know, sir," ave you ever seen the night-

"Hon't know, sir."
"Have you ever seen the nightwarshamen?"
"No, sir."
"Did you ever see the white watchme, in the day?"
"Yes, sir."
"Yes, sir."
"Yes, sir."
"Yes, I've seen the negro they said

Yes, I've seen the negro they said

What time did they pay off on Bat-

"About 12 o'clock."

Admits Watching Frank. "You say you have watched for Mr. Frank?" sir." Yes

"Yes sir."

Mr. Rosser was getting into his real
line of questions now, but still there
was no apparent change in his attitude toward the witness.

"When was the first time you ever
did that?"

"Sometime last July."

"Sometime last July."
"What did Mr. Frank say at that

"He just come out and called me into his office and said what he wanted me to do."
"How did they pay you?"
"Eleven cents an hour."
"Was it your duty to punch the clock?"

clock? Yes, but sometimes I didn't.

"If it wasn't punched every time how could they know how to pay you?"

you?"

"If it wasn't punched every time Mr. fiolloway would see me and set things straight so I could get my money."

"The first time Frank talked with you was a lady with him?"

"Yes, Miss Daisy Hopkins."

"Yes, Miss Daisy Hopkins."

"What did he say?"

"He said, 'Jim, see that lady there?' and when I said I did, he said, 'Go on down and watch the door."

"Was Miss Hopkins present?"

"Yes sir, sho was there."

"No clse was there?"

"A man named Mr. Dawson."

"How long did this lady and man stay in Mr. Frank's office?"

"Bout fifteen minutes," repiled Jim. "How long before Mr. Frank came down?"

Couple in Basement.

"It was about an hour before he came down, but the girl and man had come on down, and on his instructions I had opened the trap door and let the girl and man into the basement."

"What time was it when they came up?"
"It was after a while."
"What did they do when they came

"The lady wont on upstairs and a little while later Mr. Frank and her come down."

"What happened next Saturday, two weeks later, Jim?"

"Well, I was in the rear of the fourth floor and Mr. Frank came to me and said, 'remember what you did last Saturday, Jim,' and I said I did and he said he wanted to put me wise to this Saturday. Miss Daisy flopkins went into his office and Mr. Frank signalled with his fingers and I went down and locked the front

Frank signalica with his lingers and I went down and locked the front door and watched for them."
"What next?"
"I stood on the stops and heard them go into Mr. Frank's office."
"How long did yow stay?"

now long aid you stay?"
Given Money by Frank.
"I stayed about half an hour, then
the lady come on down and went out,
and Mr. Frank gave me a half dollar."

har."
"About the next time?"

inr."

"About the next tima?" urged the iswyer. He was apparently helping Jim Conloy to tell all the damaging evidence he knew on the man whom he accuses of the horrible crime.

"Well, I can't remember the exact time; it must have been about the middle of August."

"What time of day?"

"Well, it was about the time Mr. Frank came back from dinner. I was standing near the door and he came up and said he wanted to put me wise again for that day."

"What did he mean when he said, "Put you wise?"

"Well, he had said that on the other times he wanted me to watch for him," replied the negro.

Women Waited for Frank.

Conley then told of a mean.

Conley then told of a woman walting on the fourth floor who had gone up to Finnk's office. Asked what sort of hair she had, he said it looked like Mr. Harper's. Mr. Harper re-ferred to has gray hair and this state-ment caused a great deal of amuse

ment.

He also told of a woman dressed in green who had visited Frank.

"Did you inquire who she was?" he was asked.

"No sir, I did net."

"Did she speak to you?"

"No, she didn't know me."

"Did you run the elevator?"

"Yes, sir, sometimes."

"Didn't you then come in contact with everybody in the factory?"

"No, sir, I didn't have to go all over the floors."

"What did Mr. Frank tell you?"

"No, sir, i didn't nave to go all over the floore."

"What did Mr. Frank toll you?"

"He said for me not to let Mr. Darley and Mr. Schiff know about it."

What Occurred Thankagiving.

"The next time was Thankagiving, wasn't it?"

"Yes alr."

es, air."
"What wo "What were his words then?"
"He said, 'How're you feeling,' and
int me to the first floor,"

"What time was that?"
"About half-past eight."
"What time did the woman come?"
"About half an hour later."

"Did you know her?"
"No, she didn't work at the fac-

tory."
"Ever seen her before?" "Ever seen her before?"
"Yes, I think so. I think I saw her one night in Mr. Frank's office."
"Why were you there?"
"I had some boxes to pack."
"Where were you when she arrived on Thanksgiving day?"
"On the first floor."
"What did you do?"
If glosd the door when Mr. Frank."

"I closed the door when Mr. Frank stomped on the floor."
"How long did you stand by the

"I didn't stand by the door; I went and sat on a box for an hour or more."

When Frank stamped what did you

407

do?"

"I kicked the clevator, so he would know I heard him and everything was all right."

"Did Frank come down then?"

"Yes, he came down and unlocked the door and went out and looked enough and then came hack and went

"Yes, he came down and unlocked the door and went out and looked around, and then came back and went to the stairway and called for her to come down. She came on down and saw me and asked if I was the nigger he'd talked of and he said yes, and he says, "That's the best nigger in the world," and she asked if I talked much, and Mr. Frank said I didn't talk at all."
"When was the next in stair of the control of the case of th

January."

"How do you know?"

"Well, it was after New Year's."

"What did he say?"

"I can't remember, but one thing he said, and that was that a young man and two ladies was coming, and that I could make a piece of money off them."

them."
"What time was that?"
"About half past seven."
"Did anybody hear you?"
"Gordon Balley did."
"What did you do?"
"I went and stood by the door; it was open."
"Did they come right in?"

Did they come right in? "Did they come right in?"
"No, sir, the gentleman, he came on in and the ladies stood back, and then when he had talked to me he went back to them and they came on in with him."

"How long did you stay that time?"
"It seemed like two hours," replied

the witness.
"Did you know either of the wom-

"No, sir."
"Describe how they looked."
"I disramombers how they looked,"
said Conley.

Trow about the man!

"How about the man?"
"He was tall and slender."
"Eyer see him again?"
"I saw him talking to Mr. Holloway
several times."
"You say you don't know him?"
"No, sir, I don't know him."
"Had you ever seen the girls before?"