LEO FRANK ANSWERS LIST OF QUESTIONS BEARING ON POINTS MADE AGAINST H
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LEO FRANK ANSWERS LIST OF QUESTIONS BEARING ON POINTS MADE AGAINST HIM

Stated That He Was Willing to Reply to Any Questions That Might Be in the Mind of the Public, and Asked to Answer Any Such That Might Be Propounded to Him.

TELLS HOW JIM CONLEY COULD HAVE SLAIN GIRL AND ESCAPED DETECTION

Asserts That Very Fact That He Admitted He Had Seen Mary Phagan on the Day of the Murder, Thus Placing Himself Under Suspicion, Was Proof in Itself That He Was Innocent of Crime.

Probably the most interesting statement yet issued by Leo. M. Frank in connection with the murder for which he has been sentenced to hang, is one that he has furnished to The Constitution in the form of a series of answers to questions which were propounded to him bearing on the case.

These questions were prepared by a representative of The Constitution who visited Frank at the Tower last week.

"Ask me any questions you wish," Frank told the reporter.

In accordance with that, the reporter wrote out a list of questions which, he asserted, comprised the most salient points the prosecution had brought out against him, and to each of these Frank has given an answer.

Here Are Questions.

Following are the questions which were asked:

Question 1. Why did you let Newt Lee off that afternoon, the first time he was ever off, as Lee testified?

Question 2. The last thing known about Mary Phagan's movements being her visit to your office, and the body being found in the basement of the factory in the same building as your office, what is your explanation of how she could have been murdered without your knowing anything about it?

Question 3. You say the wording of the notes is plainly that of a negro. Isn't it possible that the negro could have written only the substance, in his own way, of the notes dictated by you?

Question 4. Evidence was offered to show that on previous occasions you had given Mary Phagan's pay to Helen Ferguson when the latter called for it. Is it true that you told Helen Ferguson on the day preceding the tragedy that Mary Phagan would come for her pay the following day?

Question 5. You said you did not know Mary Phagan. Gantt says you had talked to him about her. How do you explain this?

Question 6. You said you examined the alleged blood spots on the second floor on Monday following the murder. Evidence was offered to show that the blood spots had been chipped up before you could have come to the factory. How do you explain this? Was anyone with you when you examined these alleged blood spots?

Question 7. Wouldn't it have been the natural thing to telephone Montag about getting a detective, instead of Schiff? Why did you telephone Schiff, and not Montag?

Question 8. Is it true that at the coroner's inquest you gave one time for the arrival of Mary Phagan at your office, at the trial you gave another time? If true, how do you explain this conflicting testimony?

Question 9. Did you not at one time say you were not out of your office at 12:05 o'clock? Did not Monteen Stover say she was there at that time and you were not in? Did you not then change your statement? If so, what is your explanation?

Question 10. At first, you said the time clock slip punched by Newt Lee was correct, did you not? Later, you said there were discrepancies. Is this not true? If true, how do you explain the contradiction?

Question 11. Did you not tell Mrs. White to hurry from the factory, that you were in haste to leave? Did you not, when she had gone, resume your seat, and begin writing? If so, how do you explain what you said to Mrs. White?

Question 12. Why did you refuse to see Jim Conley before the trial, when he offered to face you?

Question 13. When you made your statement before the police, didn't you fail to mention the visit of Lemmie Quinn? If so, why?

Question 14. Did you ask him not to say anything about his visit until you had consulted your lawyers? If so, why?

Question 15. When your character was put in issue, why did you not insist upon your attorneys cross-questioning the witnesses who testified against your character?

Question 16. If a girl were never seen

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LEO FRANK ANSWERS LIST OF QUESTIONS

Continued From Page One.

alive after she had been known to visit a certain man's office, and if that girl was found the next day in the same building as that office—dead, murdered—would you call it persecution for that man to be arrested and vigorously prosecuted?

Question 17. Would you call it prejudice for that man to be suspected?

Frank's Answers.

Question 1—Why did you let Newt Lee off that afternoon, the first time he was ever off, as Lee testified?

Answer—Lee had been employed at the factory for but two weeks. Almost any experience, therefore, he would have had at the factory would be for the "first time." I had on Friday, April 25, received and accepted an invitation from my brother-in-law, Mr. Ursenbach, to go to the ball game on Saturday afternoon. Accordingly, on Friday night I had directed Lee to report early on Saturday, because I thought I would be absent from the factory Saturday afternoon at the ball game. But on account of the bad weather and the accumulation of work, I called off this engagement at about 1:25 p. m. Saturday when I was home to lunch. Lee, however, reported early, as directed, but as I had changed my plans and was to remain at the factory, there was no need for Lee to remain there unless he so desired. I didn't insist on his leaving. I told him he could go if he chose, and he availed himself of this permission. It was a matter of perfect indifference on my part whether he stayed or went; but I did insist on his returning not later than 6 o'clock to the factory.

Question 2—The last thing known about Mary Phagan's movements being her visit to your office, and the body being found in the basement of the factory in the same building as your office, what is your explanation of how she could have been murdered without your knowing anything about it?

Answer—Mary Phagan may have been attacked as she went down, at the foot of the steps, in such a way that she was unable to make any outcry at all. In fact, that is my theory.

On the other hand, if she did make an outcry there were many things that would have prevented my hearing it. The head of the stairway leading from the second to the street floor was about 70 feet from where I was sitting at my desk. Half way down the stairway was a pair of heavy doors, which were kept closed. There was a thick flooring, plastered underneath, between me and the floor below. Also the elevator stood at the level of the second floor. Then the two windows in my outer office were open, allowing the noise from the street to come in. Moreover, I was immersed in my work, and, of course, was not anticipating anything out of the ordinary. Please note that Lemmie Quinn was in my office talking to me within three to five minutes after Mary Phagan left my office after receiving her pay envelope from me.

Question 3—You say the wording of the notes is plainly that of a negro. Isn't it possible that the negro could have written only the substance, in his own way, of the notes dictated by you?

Answer—The very idea of writing notes and putting them by the dead body to divert suspicion is even more characteristic of a drunken, ignorant negro than the language itself. Emphatically no. The whole dictation theory is silly. In the first place, no intelligent white man would do such a thing, either by writing himself or having another write for him. He knows that handwriting is a sure clue. It is inconceivable that any white man could have dictated those notes and it is equally as unbelievable that he could be so foolish as to leave them on the body. In the second place, please remember that it was I and none other who gave the detectives the information by which they were able to disprove Conley's assertion that he could not write. It was I who, as soon as I heard that Conley was denying that he could write, gave the information where they could find a contract signed by him for the purchase of a watch on the installment plan. The detectives followed this clue, secured the contract, and forced Conley to admit that he could write.

Question 4—Evidence was offered to show that on previous occasions you had given Mary Phagan's pay to Helen Ferguson when the latter called for it. Is it true that you told Helen Ferguson on the day preceding the tragedy that Mary Phagan would come for her pay the following day?

Answer—I told Helen Ferguson no such thing. She did not testify that I so told her. Even the state has never contended that she so testified. There is no basis for such an idea.

Helen Ferguson never got even her own pay, much less that of another, from me. I was not the paymaster. No evidence was presented at the trial to show that I was. In fact, Helen Ferguson herself testified that previous to Friday, April 25, she never asked for or received an envelope from me. She said April 25 was the first time, and she is mistaken about this. Please note that the two girls who worked in her department with her testified at the trial that they were with Miss Ferguson when she drew her money from Mr. Schiff, and that in their company she left the factory immediately and started for home. There was no mention of asking Schiff, who was paying off, or Frank, who was not at the cashier's window, for another person's envelope. The two girls who so testified were Miss Hicks and Miss Kennedy. Schiff, who actually paid off Helen Ferguson, swore to this fact at the trial.

Calls Gantt A Liar.

Question 5—You said you did not know Mary Phagan. Gantt says you had talked to him about her. How do you explain this?

Answer—What Gantt said was an unqualified falsehood. I never knew that Gantt knew Mary Phagan intimately until Halloway told me after the murder on Monday, April 28, 1913, when I went to the factory in the afternoon at about 3 o'clock.

Question 6—You said you examined the alleged blood spots on the second floor on Monday following the murder. Evidence was offered to show that the blood spots had been chipped up before you could have come to the factory. How do you explain this? Was anyone with you when you examined these alleged blood spots?

Answer—Messrs. Schiff, Stelker, Zigancke, Quinn, Darley, Campbell and Halloway were with me when I examined the alleged "blood spots." The police had taken up only a few chips from the spot, and left the remainder of the spot, which I examined. They didn't take away the whole spot, nor did they take up the floor.

Question 7—Wouldn't it have been the natural thing to telephone Montag about getting a detective, instead of Schiff? Why did you telephone Schiff, and not Montag?

Answer—When I first phoned Mr. Schiff it was Mr. Montag's lunch hour, and I couldn't get Mr. Montag on the phone. Mr. Schiff was at the factory office, and, so, when Mr. Montag gave his permission to Mr. Schiff to hire detectives, he could more readily arrange an interview and receive detectives than I, who was at my residence, could. Mr. Schiff was my assistant, and naturally I had him do this work for me. I don't see the materiality of this question. The material point is that as soon as I could I had a detective employed and put upon the case to ferret out the crime.

Question 8—Is it true that at the coroner's inquest you gave one time for the arrival of Mary Phagan at your office, at the trial you gave another time? If true, how do you explain this conflicting testimony?

Answer—This is not true. At the coroner's inquest I said: "She got there—of course, it is pretty hard to give the exact time—but I venture to say it as near as possible, between 12:10 and 12:15." At the trial I said: "Miss Hattie Hall finished the work and started to leave when the 12 o'clock whistle blew, she left the office and returned, it looked to me, almost immediately, calling into my office that she had forgotten something, and then she left for good. . . . To the best of my knowledge, it must have been from 10 to 15 minutes after Miss (Hattie) Hall left my office, when this little girl, whom I afterwards found to be Mary Phagan, entered my office and asked for her pay envelope."

Let me call attention, at this point, to the fact that if I had been guilty, nothing on earth would have induced me to have revealed the fact that I had seen and talked with Mary Phagan in my office a few seconds before the prosecution claims I killed her. Would the man who killed Mary Phagan have freely and voluntarily stated that he saw her and talked with her just a few moments before she was supposed to have been killed? Would not every instinct of self-preservation have caused him to conceal the fact that he had seen her at all? Why, if he were guilty should he disclose the fact that he had seen her, especially when no one had seen him talking with her, and it could not be proved that he had seen her? If I had a guilty conscience would I have freely and voluntarily stated, as I did, that I had seen and talked with Mary Phagan? And if I did not hesitate to declare that I had seen and talked with Mary Phagan (which was the big, important fact), what object could I have had in misstating the time that I saw her?

I stated simply the truth, and the whole truth. I gave the time to the best of my recollection.

Proof I Am Innocent.

Question 9—Did you not at one time say you were not out of your office at 12:05 o'clock? Did not Monteen Stover say she was there at that time and you were not in? Did you not then change your statement? If so, what is your explanation?

Answer—I said I was not out of my office at 12:05. I always contended that, and I still assert it. I never changed. I may have stepped to the toilet for a minute or two, but one couldn't remember such an occurrence. I am not fully satisfied as to the accuracy of Miss Stover's testimony. She is but a child, and may not be accurate.

Let me say, as I did in answer to the preceding question, that I always stated freely and voluntarily that I saw and talked with Mary Phagan in my office. I gave her her pay envelope. She asked me if the metal had come, and when I told her no, she departed. **I did not see her alive again.** Now, if I had anything to conceal about the meeting between Mary Phagan and myself, if I had been the guilty man, would I not have denied from the first that I had ever seen her at all? Would I ever have come forward freely and voluntarily and stated that I had seen and talked with her? Would I not have tried to conceal that fact? Let me say that if some other man were accused of a murder, and he were to come forward voluntarily and state, without any compulsion, that he had seen and talked with the dead person just a few moments before the killing was supposed to have occurred, I would say that the man had a clear conscience and was not guilty. For, if he had been guilty, common sense would have made him hide and conceal the fact of seeing the dead person just before the killing.

Question 10—At first, you said the time clock slip punched by Newt Lee was correct, did you not? Later, you said there were discrepancies. Is this not true? If true, how do you explain the contradiction?

Answer—At first, I said the slip was all right, as no successive numbers were skipped. Mr. N. V. Darley looked at the slip, also, and corroborated this. Later, when I studied carefully the time at which the punches occurred, I noted three lapses of one hour instead of a half hour, as they should have been. The whole matter of Lee's punching the time clock, while a physical fact, is immaterial. There is one thing, however, that is material in this matter. When I took out of the clock the time slip that Lee punched, I wrote on it, 'Taken out at 8:26 a. m.' to identify it. Several of those about me at the time saw me write on the slip. This was a complete identification of this slip. Mr. Dorsey admitted, in open court, that he rubbed it out. He says he thought a detective wrote those words on it to identify it.

Question 11—Did you not tell Mrs. White to hurry from the factory, that you were in haste to leave? Did you not, when she had gone, resume your seat, and begin writing? If so, how do you explain what you said to Mrs. White?

Answer—I did not tell Mrs. White to hurry from the factory. I told her that if she did not wish to be locked in with the two boys at work on the fourth floor, that she would have to leave then, as I was going home to lunch, and was going to lock up the factory. I did not mention haste. As I followed her down the stairs at an interval of less than a minute, I could not have been writing as she passed, and was not writing. I may have been placing papers together preparatory to leaving, but I had nothing to write. The record of the case bears me out in this.

Question 12—Why did you refuse to see Jim Conley before the trial, when he offered to face you?

Answer—Conley came to my cell surrounded by detectives who had put themselves on record as being antagonistic to me. They were not hunting the truth; they were trying to fasten the crime on me. No matter what I would have done, if I consented to the interview, they would have used it against me. At the trial the negro never looked at me once, though my eyes were glued on him the whole time.

Question 13—When you made your statement before the police, didn't you fail to mention the visit of Lemmie Quinn? If so, why?

Answer—To the police I did fail to mention Lemmie Quinn's visit. It slipped my mind, though it was a circumstance favorable to me. But his statement, and my own, that he called and saw me in my office that day, has never been questioned. As soon as Quinn mentioned to me the fact of his visit to me the day of the murder, it refreshed my memory, and I at once remembered it.

Question 14—Did you ask him not to say anything about his visit until you had consulted your lawyers? If so, why?

Answer—No. I told him to tell the truth. Not knowing exactly what the police were claiming (at that time), and not being a lawyer, I did not know what value Quinn's visit could have as evidence, and I told Quinn I would report the fact to my lawyers.

Character Witnesses.

Question 15—When your character was put in issue, why did you not insist upon your attorneys cross-questioning the witnesses who testified against your character?

Answer—My experience with Dalton, the first character witness against me, had given me and my attorneys fair warning what to expect from the so-called character witnesses. Here was a man upon whom I had never laid my eyes before he took his seat in the witness chair, and of whom I had never heard, and yet he swore solemnly to acts and doings with me that were utterly and absolutely untrue and without the slightest foundation. Was not this fair warning to me and my attorneys of what they might expect from the other so-called character witnesses? There was nothing that they could truthfully testify against my character, but I had been duly warned that I could not rely upon their speaking the truth.

My lawyers decided that if they cross-examined those character witnesses, it would allow these hostile people to tell all they heard about me in the way of vile slander—not what they knew. They felt that these witnesses had been loaded with slanders about me just for the purpose of telling them on cross-examination. They did not want to give them the chance to repeat malicious tales against me which they had no opportunity to investigate or answer.

Question 16—If a girl were never seen alive after she had been known to visit a certain man's office, and if that girl was found the next day in the same building as that office—dead, murdered—would you call it persecution for that man to be arrested and vigorously prosecuted?

Answer—If the only facts known were what you state, then it would not be surprising that such a man should be arrested, and if subsequent developments indubitably pointed to him as the perpetrator of the crime, that he should be vigorously prosecuted. But if, after this man's arrest, a negro brute is discovered, who admits a knowledge of the crime, who admits writing the very notes found by the body, though, at first, steadfastly denying he could write at all, and who, after repeated visits and promptings from the detectives and the solicitor, finally invents a preposterous and unbelievable tale, putting the crime on the man arrested in order to save his own neck—then I would say that the further prosecution of this man is persecution, indeed!

Question 17—Would you call it prejudice for that man to be suspected?

Answer—Not prior to the time that another was shown to have had the opportunity to commit the crime.

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