

M'KNIGHT BADLY INJURED TRYING TO SLIP INTO CITY UNNOTICED BY DETECTIVES

Witness for the State, Who
Repudiated Testimony
Against Leo Frank Re-
cently, Falls From Passen-
ger Train While Attempt-
ing to Swing Off at Rose-
land Station.

BRIBE OFFER ALLEGED IN AN AFFIDAVIT MADE BY NEW FRANK WITNESS

Mrs. Mattie Miller Says A.
S. Colyar Promised Her
\$1,000 if She Would Tell
"Infamous Story"--Frame-
Ups and Coercion Charged
to Detectives in Other Af-
fidavits.

Dangerously injured while swinging from an incoming Southern train at Roseland station in an attempt to enter the city under cover of darkness and unnoticed by detectives, Albert McKnight, the missing witness in the Frank case who recently repudiated his testimony, was found unconscious beside the railroad tracks last night by the engineer of train No. 32.

He was picked up and put in the baggage car, in which he was brought into the Terminal station at 8:15 o'clock, at which time train No. 32 is due to arrive. His body was badly cut and bruised and he is probably internally injured. He was also cut and gashed in the head.

He was carried to Fairhaven hospital, where he is reported to be in a serious condition. A Constitution reporter was refused admission to his ward because he had been put to sleep under an anaesthetic. Two detectives visited the hospital a short while previously, however, but declare they did not interview him.

Detectives

Visit McKnight.

They were Detectives John Hollingsworth and J. T. Tuggle. Police headquarters was tipped off to McKnight's appearance in the city shortly after he arrived. Hollingsworth and Tuggle went at once to the hospital. They say that their only reason for the visit was to ascertain if the negro was the missing witness. They say he is.

They communicated with Chief Lanford, asking if they should interview him. The chief, it is said, instructed them to return to headquarters and not act further in the case. Chief Lanford declares that neither of the detectives talked with the negro.

According to detective officials, McKnight was bound for Atlanta on Southern train No. 15, due at the Terminal station at 7:30 o'clock. He had been missing from Atlanta, they say, ever since having made his repudiation some weeks ago. Last night, for some unaccountable reason, he was returning to the city on No. 15. The point from which he was coming, the detectives say, is not known.

At Roseland station, a slowing-down point, the negro, it was stated by the detectives, tried to swing from the moving train and was thrown to the ground.

Tells of

Bribe Offer.

The sworn accusation of Mrs. Mattie Miller, a young woman living at 585 Marietta street, to the effect that A. S. Colyar had, in interest of Frank's prosecutors, made her an offer of \$1,000 to swear to an infamous story on the

ness stand, has been given out by the convicted man's defense.

Mrs. Miller declares she flatly refused the offer, and commanded Colyar to leave her residence. She has made an affidavit which is in possession of Frank's counsel.

Chief Newport A. Lanford, of the police detective department, was surprised at the woman's startling charge. He stated to a reporter for The Constitution that the story was false that Colyar, in interest of Frank's prosecution, had made her any offer of bribery. He also declared Colyar had never been associated with the detective bureau.

"Colyar has never been connected with the detectives," the chief said. Also, he had no connection whatever with Frank's prosecution. Neither was he associated with the investigation of the Phagan murder. I do not believe the Miller woman's story. I do not believe even Colyar would have made any such proposal."

Colyar first came into local limelight last year during the Mary Phagan investigation, when he engineered a dictagraphing conspiracy with the Atlanta detective department.

He is not in Atlanta at present. Latest reports from him were from Columbia, S. C., where he was accused

of impersonating Governor Ben Hooper, of Tennessee.

Four Affidavits.

Four other sensational affidavits were disclosed by Frank's lawyers Saturday. One of these is attested to by Miss Nellie Wood, a former employee of the pencil factory, who testifies that Solicitor Hugh M. Dorsey once admitted to her that he had been misled by the detectives in the Frank case.

She also accuses Detectives Bass Rosser and W. A. Chewning and J. H. Norris of striving to force her to swear on the stand to false stories against Frank, and of seeking to "frame-up" scandalous testimony for her lips. She says that on one occasion the sleuths fairly surrounded her in effort to coerce her into telling the story of their own "concoction."

When apprised of this affidavit, Detective W. A. Chewning stated that it was untrue that he and Norris had sought to coerce the woman. He declared that she had willingly gone to the office of Solicitor Dorsey, where she had made an affidavit attesting to the story she had told the detectives.

"While the investigation was going on," Chewning told the reporter, "some-one telephoned headquarters and told the detective department that a Miss Wood, at No. 8 Corput street, knew something of the Frank case. Norris and I went to her home and interviewed her. She told us the story of Frank's actions toward her, and told it voluntarily."

"I took notes on her statement and turned them over to Chief Lanford. That was the last I ever saw of Miss Wood. Later she willingly made an affidavit of the identical story she related to Norris and me. I understand that she had told the story frequently before she ever saw a detective on the case. That was why police headquarters was notified."

Denies Coercion.

"There was not the slightest sign of coercion or 'framing-up' in her case. We merely went to her home and heard her narrate a story she had told previously. Then we returned to headquarters and dropped the affair. That is, so far as we were concerned. It was taken up where we left off by Detective Rosser."

Another revelation of Conley's alleged attitude toward the working girls of the pencil factory was given out by Frank's defense in one of the four affidavits by Mrs. Lillie Mae Pettis, sister-in-law to Nellie Pettis, the girl who told at the coroner's inquest of advances by Frank.

Mrs. Pettis also declares that she does not believe her sister's story and that Detective Bass Rosser, before the trial of Frank, endeavored to get her to swear to a similar story against the factory superintendent, which she refused to do.

She swears that at one time Conley approached her on the first floor, saying:

"Miss Lillie, you sure is a pretty gal, and I'm sorry I ain't a white man."

On another occasion, she testifies, she was in company with another girl on the second floor, when Conley accosted them, saying:

"Are you girls going to quit the factory?"

He was given the reply that they were not, upon which Mrs. Pettis accuses him of having answered:

"I am sure glad, because I'm going to give both of you a Christmas present, for you sure are fine looking girls."

Mrs. Miller's Affidavit.

The affidavit of Mrs. Mattie Miller is as follows:

"State of Georgia, Fulton County.—Mrs. Mattie Miller, deposing on oath, says that she resides at 536 Marietta street, in the city of Atlanta, Fulton county, Georgia, and that she worked at the National Pencil factory in this city for about six months in the year 1910. Deponent states that she has known Leo M. Frank when she saw him, and also that she never knew him at any time to be familiar with anyone employed at the factory, and at no time was he familiar with her; neither did she ever see him commit any act that was unbecoming of a gentleman."

"Deponent further states that, in the latter part of May, or the first part of June, 1913, a man named A. S. Colyar called on her at her home, which was then 537 Marietta street, and told her he was a lawyer, and was trying to work up evidence against Leo M. Frank for the murder of Mary Phagan, and asked her if she did not at one time work at the National Pencil company's factory. Deponent replied that she did, and he then asked her to make a statement to the effect that Mr. Frank had had intercourse with her at various times in his office, and she promptly informed him that Mr. Frank had never made any advances toward her, and had never had intercourse with her."

"Then said Colyar asked her if she would not swear that he did have intercourse with her in his office, and added that, if she would make an affidavit to that effect, he would write her a check for \$1,000. Deponent became insulted and indignant at Colyar's offer, and promptly told him to leave her house; and when Colyar saw that she was angered, he told her not to get

mad, that she was only making her a fair business proposition, and she added that she would give her \$1,000 if she would swear that Mr. Frank coaxed you to have intercourse with him in his office, even if it is not true."

"He again said that he would give you \$1,000 for such an affidavit delivered on the witness stand." Deponent again told him that under no circumstances would she swear to a lie for him or for anyone else for an amount of money, when Colyar asked her if she would not swear that Mr. Frank had at least attempted to become familiar with her, and deponent told him that under no circumstances would she swear a lie for him."

"Just before Colyar left her house, he asked her not to tell anyone he had come to see her, and she said she would not tell him. Deponent further states that some two or three days after the conversation referred to herein she met Colyar accidentally on Marietta street, and he went to the soda fountain at the corner of Forsyth and Marietta streets, and to meet him there, saying he would have some money for her."

"Deponent did not go to the soda fountain, as she wanted nothing to do with Colyar; and deponent states that she has never seen him since that time. This statement is made of her own free will and accord, without any promise or reward of any kind."

(Signed) "MRS. MATTIE MILLER."

Affidavit of Nellie Wood.

The affidavit of Miss Nellie Wood is as follows:

"Georgia, Fulton county.

"Personally appeared Miss Nellie Wood, of Atlanta, Fulton county, Georgia, who, upon oath, deposes and says that she was a character witness in the case of the state of Georgia versus Leo M. Frank.

"Deponent says that the first she ever heard of the first intimation she ever had that the case was to be in any way connected with the case was after a visit to her home, which was at that time at No. 8 Corput street, when City Detective Chewning and Norris called upon her and asked deponent if it were not a fact that she had at one time worked at the National Pencil factory. Deponent informed them that she had been employed there a period of two days."

"Detectives Chewning and Norris asked deponent if it were not a fact that the reason she left there was because Leo M. Frank had been so familiar with her and so insulted her that she could not stay there, and deponent told them that any such thing was not a fact.

"Deponent explained to the detectives aforesaid that she went to the factory in the capacity of a forelady and that she had never before had any experience in the pencil business, and it was necessary for Mr. Frank to give her a great many instructions about the business. Deponent further says that girls and women employed at the pencil factory did not feel kindly toward her as they had noticed there several years and did not like the idea of having a forelady step in over them; and deponent says that the girls referred to endeavored to make it unpleasant for her during her short stay there."

"Deponent admits that the actions of the girls at times caused her to lose her temper and she would go into Mr. Frank's office and make complaints regarding said girls and women; and it was on occasion of these complaints that any action on the part of Mr. Frank that could be termed familiar took place.

"In description of the action of the part of Mr. Frank referred to, deponent says that when she would go into his office and make complaint, Mr. Frank always appeared to be nervous, and he would get up and try to pacify her, and he would put his hand on her own excited condition, he would put her on the shoulder and say: 'That is all right, now; don't you let those little things worry you; the girls will soon get over it and everything will be alright.'"

Believes Frank a Gentleman.

"Deponent says that at no time could she interpret the actions of Mr. Frank and the putting on her shoulder, which he did during those conversations, as familiarity from a sexual standpoint, and now deponent says she has always believed that Mr. Frank was a perfect gentleman and that he did not intend to convey to her the impression that he was trying to become sexually intimate with her at any time."

"Deponent says that she explained all these details to Detectives Chewning and Norris, but that they insisted that deponent admit that Mr. Frank had been so familiar with her, and that, on this daily familiar with her, and that, on this account, she had left the factory."

"Deponent says that Detectives Chewning and Norris did not call on her any more and that she was never approached by more and that she was never approached by Detective Bass Rosser, who approached deponent in about the same manner as Detective Chewning and Norris, and deponent did not see Detective Rosser practically the same story which is described above."

"Deponent says that during her conversation with Detective Bass Rosser, she would ask her a great many questions which deponent could not understand and that he was constantly taking down notes from their conversation and deponent says she saw the notes and does not know what they were."

"Deponent says that to the best of her recollection Detective Rosser, on the first occasion several times he was passing there and would say to her that he could not use her that day, but expected to use her almost any day and he would add to her to talk to a reporter who might call upon her in the meantime."

"Deponent says that one day during the trial, the date of which she cannot remember at this time, Detective Rosser came to court and handed her a subpoena to come to court and gave her instructions to call at Mr. Dorsey's office before going to court. Deponent, complying with the request, and after reaching Mr. Dorsey's office, she found that Mr. Dorsey was in court and did not get to see him until after she had gone on the stand."

Says Dorsey Was Disappointed.

"Then deponent had a conversation with Mr. Dorsey in his office and Mr. Dorsey frankly told deponent that he was very much disappointed with her evidence and that he had intended making her his star witness, but since she had faltered so badly, he did not see where he could use her to any further advantage."

"At the same time Mr. Dorsey explained to deponent that she was a great disappointment to him from the standpoint of a witness, and deponent explained to Mr. Dorsey personally that it was impossible for her to go on the witness stand and swear to anything against Mr. Frank by reason of the fact that she had only known him about two days and that nothing had taken place during that time on the part of Mr. Frank that was ungentlemanly and that Mr. Frank had in fact never insulted her and in fact that she knew nothing against Mr. Frank one way or the other, either for or against Mr. Frank; and deponent now says that all her dealings with Mr. Frank during the two days that she was employed at the factory were upright and manly on his part and she never heard any of the girls at the factory say that Mr. Frank had acted in any unbecoming or familiar manner toward them at any time."

"Deponent says that either Detectives Chewning, Norris or Rosser, or perhaps all of them but just which she could not recall individually, while talking with her at her place of business, would endeavor to make her admit that Mr. Frank had, while talking to her in his office, tried to seduce her and attempted acts of violence or perversion—all of which insinuations she promptly denied; deponent now says that when these questions were being asked her, she were put to her and asked in a very confusing manner by reason of the fact that she was actually surrounded by detectives and that the first one and another would ask her questions and deponent cannot now recall just how the questions were made by the detectives referred to, to get her on record and have her make statements that were not true."

"Deponent states that she had a conversation with Solicitor Dorsey and explained to him that none of the insinuations that he told her he understood and come from deponent were true. Mr. Dorsey said to deponent:

"Well, I have been misled and did not understand the situation."

(Signed) NELLIE WOOD."

Lillie Mae Pettis' Affidavit.

The affidavit of Lillie Mae Pettis is as follows:

"Georgia—Fulton county.

"Personally appeared Mrs. Lillie Mae Pettis, of No. 2 Girard street, in the city of Atlanta, Fulton county, Georgia, who, upon oath, deposes and says that she worked at the National Pencil factory in this city for three years, off and on, leaving the service of the factory about the year 1910, previous to the murder of Mary Phagan."

"Deponent says that she knew Jim Conley, colored, who used to be employed at the factory as a sweeper, and also stating that she is acquainted with Mr. Leo M. Frank."

"Deponent states that never during her employment at the pencil factory did she see Mr. Frank nor in any way unbecoming to a gentleman and that at no time during her employment at the factory did Mr. Frank ever say anything to her approaching familiarity of an insulting nature. Deponent further says that through the capacity in which she was employed at the National pencil factory she was thrown in contact with Mr. Frank several times every day and that she never saw him laughing or joking with any of the girls and that his demeanor and actions at all times were business-like in every way."

"Deponent further says that never during her employment at the factory had any girl or woman ever remarked in her presence that Mr. Frank had been familiar with them or had in any manner insulted them, and she never heard of the employees at the factory make any complaint regarding any attempts at familiarity on the part of Mr. Frank toward them."

"Deponent further states that she and other girls have worked at the factory late as 3 o'clock at night and that Mr. Frank was present with them and, aside from certain directions that he was obliged to give them concerning the business of their work, he had nothing whatever to say to them and that he never committed any acts that anyone could take exceptions to."

"Deponent also says that she is a sister-in-law of Nellie Pettis, who, she says, has stated that Mr. Frank, on one occasion, while she was at the factory, winked at her and asked her the question 'How about it?' Deponent says that she does not believe her sister-in-law, Nellie Pettis, is telling the truth when she makes this state-

ment; that she does not believe Mr. Frank ever winked at Nellie Pettis or made any of the remarks referred to by her.

What Conley Said.

"Deponent also says that on one occasion before the murder of Mary Phagan she, in company with Catherine Christian, another girl who was employed at the factory, were entering the building from the street and met the negro sweeper, Jim Conley, standing at the foot of the stairs near some old boxes near the elevator, and that he accosted them and said: 'I understand you girls have quit your positions,' and they told him he was mistaken, that they had not quit and had no intentions of doing so at that time."

"Then Conley said: 'I sure am glad to hear that you are not going to leave, as I am going to buy both of you girls a Christmas present because you are both such pretty girls.'"

"Deponent says that on another occasion she was standing near the elevator, on the second floor of the factory, and that Conley accosted her and said: 'Miss Lillie, you are sure a good-looking gal, and I sure am sorry that I am not a white man.'"

"Deponent further states that she was always afraid of Jim Conley, and that she made it a point never to place herself in such a position so as to be caught alone with Conley."

"Deponent further says that, once before the trial of Leo M. Frank, Detective Bass Rosser and a very large, fat man, whose name she does not know, called at her home, and that Bass Rosser tried in every way possible to make her state that Mr. Frank had been familiar with other girls at the factory; that he said Rosser coaxed her, pleaded with her, and even got mad with her because she would not swear to those things for him. Deponent further states that she had always found Mr. Frank to be a perfect gentleman, and never knew him to commit any of the acts which Mr. Rosser was trying to make her swear that she had seen and heard."

"Deponent makes this affidavit of her own free will and accord, without any promise or reward of any kind."

(Signed) "LILLIE PETTIS."

Adhering to the testimony which she says she would have given on the witness stand had she been cross-examined, and refuting the statement of her sister-in-law, Mrs. Lillie Mae Pettis, Miss Nellie Pettis has also made an affidavit now in the hands of the defense. It is as follows:

Affidavit of Nellie Pettis.

"Georgia, Fulton county.

"Personally appeared Miss Nellie Pettis, of an Oliver street, Atlanta, Fulton county, Georgia, who, upon oath, deposes and says: 'That she is sixteen years of age, and that she was at witness in the case of the state of Georgia versus Leo M. Frank for the murder of Mary Phagan, and she further says that, if she had been cross-examined she would have sworn that, at each time she went to the factory, Miss Nellie would look hard at her, and, on one occasion, Mr. Frank said to deponent, 'How about it?' Deponent says that, when Mr. Frank made the above remark to her, that she was standing off near a lot of other girls in the factory, and that when Mr. Frank made the above remark he made the remark in a very low tone, so that no one else would hear it. Deponent says that Mr. Frank never spoke to her at any other time, but he always looked at her in a sly manner."

"Deponent says that she was never at the pencil factory over four times—one to ask for work and three times for the purpose of getting the pay of deponent's sister-in-law, Mrs. Lillie Mae Pettis, and on each of these visits deponent presented a note to Miss Lulu Mae Flowers, and deponent personally secured her sister-in-law's pay from her."

"Deponent says that aside from the above statements she knows nothing about Mr. Frank or the Frank case or the charges against him. However, deponent says that she knew Miss Mary Phagan."

(Signed) "NELLIE PETTIS."

A second affidavit was made by the sister-in-law, Mrs. Lillie Mae Pettis. It follows:

A Second Affidavit.

"Georgia, Fulton county.

"Personally appeared Mrs. Lillie Mae Pettis, of No. 45 Girard street, Atlanta, Fulton county, Georgia, who, upon oath, deposes and says that on three occasions, while she was employed at the National Pencil factory in this city, and for various reasons, she personally presented to Mrs. Lillie Mae Pettis, to the pencil factory for her pay, each occasion on which she sent her sister-in-law, Miss Pettis, to the factory being Saturday, which was the regular factory pay day."

"Deponent says that on each occasion that she sent Miss Pettis to the factory for her pay, she gave Miss Pettis a written order for her salary addressed to Miss Lulu Mae Flowers, deponent's sister-in-law."

"Deponent further says that on each occasion when she sent Miss Nellie to the factory for her pay, deponent's place of residence was then at the home of Miss Nellie Pettis and her mother, which was No. 9 Oliver street, in this city."

"Deponent also says that when Miss Nellie delivered her salary on the first two occasions that deponent had sent her for same, deponent asked Miss Nellie what Miss Flowers had said to her with reference to deponent and her absence from the factory and Miss Nellie replied that Miss Flowers had not said anything whatever regarding deponent, but that Miss Flowers simply handed her deponent's money without any further remarks."

"Deponent also says that on the third occasion, when Miss Nellie went to the factory for deponent's pay, she accompanied Miss Nellie with her as far as Forsyth street, and waited there until Miss Nellie went in the factory after deponent's pay and deponent says that Miss Nellie was not in the factory exceeding five minutes. Deponent says that as soon as Miss Nellie got out of the factory with deponent's pay she asked her if Miss Flowers had asked her any questions regarding deponent and Miss Nellie again replied that Miss Flowers did not ask her any questions but had gone into the office, secured deponent's pay and handed it to her."

"Deponent says that Miss Nellie never said anything to her about meeting or seeing Mr. Frank on any of the occasions she had been to the factory; and deponent further says that Miss Nellie was never at the factory but four times, three of these times being described in the above statement. The fourth occasion was more than a year ago, when Miss Nellie accompanied deponent to the factory for the purpose of seeking a position in the factory under Miss Lulu Mae Flowers; that Miss Nellie asked Miss Flowers for a position, and that the application for this position took place about a week or more before Mr. Frank had come to the factory, deponent being familiar with the fact that Mr. Frank did not reach the factory until about 3 a. m. Deponent says that after the application was made to Miss Flowers for a position, Miss Nellie immediately left the factory; and deponent is sure that Miss Nellie did not at any time come in contact with Mr. Frank, and is further sure that if she had seen him in the factory she would not have known him, as deponent had never at any time pointed out to her, and Miss Nellie had never told her that she knew Mr. Frank."

"Deponent also says that Miss Nellie never stated to her that she had ever been to the factory by Mr. Frank or anyone else; and says further that the first time she ever heard Miss Nellie say that Mr. Frank had insulted her, was on the occasion of the first visit of Detective Bass Rosser to her home at No. 9 Oliver street, when Mr. Rosser had called upon deponent asking her to swear against Mr. Frank;

and says that during the conversation between deponent and Mr. Rosser that Miss Nellie was present and interrupted the conversation by stating to Mr. Rosser that she could tell something against Mr. Frank.

Deponent says that Mr. Rosser immediately dropped his conversation with her and applied his attention to Miss Nellie. Deponent says that she heard Miss Nellie tell Mr. Rosser that on one occasion, when she had been sent by deponent to the pencil factory to get deponent's salary, Mr. Frank had winked at her and asked her 'How about it?' Deponent says that there was another man with Mr. Rosser on the occasion of the conversation referred to; that she does not know who this man was, but that he took a statement from Miss Nellie, which was signed by Miss Nellie in deponent's presence. Deponent further says that, after Detective Rosser and the man with him left their home, she said to Miss Nellie: 'It is very peculiar that you never before mentioned that Mr. Frank or anyone else had insulted you while at the pencil factory.' Deponent says that Miss Nellie replied that she had decided to keep the matter to herself, and admitted that she had never mentioned it before telling it to Detective Bass Rosser."

(Signed) "LILLIE PETTIS."