

Climax of Trial Reached When Frank Faced Jury

The climax of the Frank trial came at the afternoon session Monday, when Leo M. Frank took the stand to tell of his actions on the day of the murder.

The accused man's statement was clear, concise and straightforward. He talked in smooth, even tones, punctuating his statement with emphatic gestures of the arms and fingers. He had more the appearance of an attorney making a jury speech instead of an accused man making a plea for life and liberty.

It was a dramatic story, marked by the straightforward delivery of the prisoner. A hush settled over the room throughout his recital and he was able to talk in an ordinary voice and make himself heard all over the place.

The following is the first verbatim report of his statement to be published:

"Now, Mr. Frank," said Mr. Arnold, "such papers as you want to use you can come down here at any time or from time to time and get them on this table right here."

"Before you commence your statement," prompted the judge, "I want to read the law. In criminal procedure, the prisoner will have the right to make to the court and jury such statement in this case as he may deem proper in his defense. It shall not be under oath and shall have such force as the jury shall think right to give it. They may believe it in preference to the sworn testimony in the case. The prisoner shall not be compelled to answer any questions on cross-examination. He should feel free to decline to answer them. Now you can make such statement as you see fit."

"Gentlemen of the jury," the accused man began, "in 1884, the 17th day of April, I was born in Terrell, Texas. At the age of 3 months my parents took me to Brooklyn, N. Y., which became my home until I came south, to Atlanta, to make my home here. I attended the public schools of Brooklyn and prepared for college in Pratt Institute, Brooklyn, N. Y.

"In the fall of 1902 I entered Cornell university, where I took the course of mechanical engineering, graduating after four years, in June, 1906. I then accepted a position as draftsman with the B. F. Sturtevant company, of Hyde Park, Mass. After remaining with this firm for about six months I returned once more to my home in Brooklyn, where I accepted a position as testing engineer and draftsman with the National Motor company, of Brooklyn, N. Y.

"I remained with these parties until about the middle of October, 1907, when at the invitation of some citizens of Atlanta I came south to conform with them with reference to the starting and operation of a pencil factory to be located in Atlanta. After remaining here for about two weeks I returned once more to New York, where I engaged passage and went to Europe. I remained in Europe nine months. During my sojourn abroad I studied the pencil business and looked after the erection and testing of machinery which had been previously traded for.

CAME TO ATLANTA IN AUGUST, 1908.

"In the first part of August, 1908, I returned once more to America, and immediately came south, to Atlanta, which has remained my home ever since. I married in Atlanta an Atlanta girl, Miss Lucille Selig. The major portion of my married life has been spent in the home of my parents-in-law, Mr. and Mrs. E. Selig, at No. 63 East Georgia avenue. My married life has been exceptionally happy, indeed, it has been the happiest days of my life.

"My duties as superintendent of the National Pencil company were in general as follows: I took charge of the technical and mechanical end of the factory, looking after the processes and seeing that the product was turned out in quality equal to the standard which was set by our competitors. I looked after the installation of new machinery, and the purchasing of any machinery, and in addition I had charge of the office work at the Forsyth street plant and the lead plant on Bell street.

"I looked after the purchasing of the raw material. I saw after the manufacture of pencils and kept up with the market of these materials, and when the prices fluctuated so that the purchases could be made to the best possible advantage.

WHAT HE DID ON FRIDAY.

"On Friday, April 25, I arrived at the pencil factory on Forsyth street at about 7 o'clock, my usual time. I immediately started in on my regular routine work, looking over the papers I had laid out the evening before and attending to any work that needed my special attention that morning.

"At about 9:30 I went over to the office of the general manager and treasurer, Mr. Sigmond Montag, whose office is at Montag Brothers, on Nelson street. I stayed over there a short time, and got what papers had arrived in the mail—all the mail of the pencil factory comes over to their office. I got that mail and brought it back to the Forsyth street office. I then separated the mail and continued in my usual routine duties in the office on Forsyth street.

"At about 11 o'clock Mr. Schiff handed me the payroll book, covering the plants at Forsyth street and Bell street, for me to check over and see if the amounts and extensions were correct. Of course, this work has to be very carefully done, so that the proper amount of money is drawn from the bank. This checking took me until about 12:20 p. m.

"I then went over to Montag Brothers, took the checks drawn and had them signed by Mr. Sig Montag, after which I returned to Forsyth street and got the leather bag in which I usually carried the money and the coin from the bank, and got the payroll slip, on which the various denominations which I desired to have on the payroll were made out, and went, accompanied

by Mr. Herbert Schiff, my assistant, to the Atlanta National bank, where I had the checks cashed.

INSPECTED FACTORY IN AFTERNOON.

"Returning to the factory in company with Mr. Schiff, I placed this bag containing the money for the payroll in the safe and locked it. At this time my wife called for me and in her company and that of Mr. Schiff I went over to the car and went with my wife home to lunch. After lunch I returned to the factory and took a tour for about an hour through the factory, after which I then assisted Mr. Schiff in checking over the amounts on the pay envelopes, checking the money against the duplicate slips that we had got from the bank to see that the correct amount had been given us, and helped Mr. Schiff in checking over the money and in filling the envelopes.

"This took us approximately until a quarter to six to fill the envelopes and seal them, and place them in a box we have there with 200 pigeon holes in it, that we call our payoff box."

"While I was so occupied with Mr. Schiff in filling the envelopes, a young man named Wright who had helped us out in the office as clerk during the past week came in and I paid him in cash, as Mr. Schiff had neglected to put his name on the payroll. I just made out a ticket and put it in the payroll box, not the cash box, and continued in the office with Mr. Schiff, taking all the envelopes that were due the help that had worked from April 18 to April 24, inclusive, to pay them through the window on one side of the office. There is a little window built in the wall. I had stayed in my office, checking over the amount of money which had been left there.

"This amount should have been equal to the amount loaned out in advance to the help. I took a ticket out when we were filling the envelopes in checking this amount there. As near as I recollect it, it was about \$15.

COULD NOT LOCATE SHORTAGE.

"I noticed a shortage of about \$1.20, or something over a dollar, at any rate, and I kept checking to see if I could find the shortage in the various deductions which had been made. I could not locate it that evening, after the help had been paid off, during which time I stayed in my office. No one came into my office and asked me for the envelope or for an envelope of any other party.

"After the paying off of the help had taken place Mr. Schiff returned and handed me the envelopes which were left over, bound with an elastic band, and I put them in the cash compartment, which is different from the cash box, the key to which is kept in my cash box, and placed them in the safe, and Mr. Schiff placed the amounts in the box, and placed the box in the safe and left them.

"I placed in the time clock slips which were to be used the next day. I took the two time slips dated April 25, which had been used by the help on Friday, April 25—these are the two that I put in the slot" (exhibiting the same to the jury.)

"Says Slips Were Dated Ahead.
"Gentlemen, as I was saying, these two slips that have April 26, 1913, written at the bottom are the two slips I put in the clock on the evening of Friday, April 25, to be used on the day following, which, of course, was April 26.

"I neglected to mention also, in going over my duties at the factory, that Mr. Darley was superintendent of labor and manufacture, and it fell to his duty to engage the help and distribute the help throughout the plant, and to discharge the help in case it was necessary. It was also due to him whether the wages were raised or not. In other words, he was the man that came directly in contact with the help. Moreover, he saw that the goods progressed through the plant without stopping, speedily and economically for their manufacture.

"On Friday evening I got home at about 6:30, had my supper, washed up, and with my wife played a game of auction bridge at a friend's home in the evening. My wife and I returned home and retired about 11 o'clock.

"Arose Early on Day of Murder.
"On Saturday, April 26, I rose between 7 and 7:30, and leisurely washed and dressed and ate my breakfast, and caught a Washington street or Georgia avenue car, I don't really remember which, at the corner of Washington and Georgia avenue, and arrived at the factory, Forsyth street plant, at about 8:20.

"Upon my arrival at the factory I found Mr. Holloway, the day watchman, at his usual place, and I greeted him in my usual way, and found Alonzo Mann, the office boy, in the office.

"I took off my coat and hat and opened my desk and opened the safe, and removed the various books and files and wire trays containing the various important papers which were placed there the evening before and distributed them in their proper places about the office. I then went out to the shipping room and conversed a few minutes with Mr. Irby, who was at that time shipping clerk, about the work he was going to do that morning.

"According to my recollection, we did not shipping that day, owing to the fact that the freight offices were not receiving any shipments, due to the fact that it was a holiday.

"I returned to my office and looked through the papers and sorted out those which I was going to take over on my usual trip to the general manager's office that morning.

"Exhibits Invoices to the Jury.
"I then turned to the invoice covering shipments which were made by the pencil factory on Thursday, April 24, and which were typewritten on Friday, April 25, by Miss Eubanks, who was the stenographer who stayed at my office. She had hurried through with the office work on the day previous, so that she could go home and spend the holiday in the country where she lived. But I didn't get to check over the invoices on the shipments on Friday, due to the fact that Mr. Schiff and myself were completely occupied

with the payroll. I then went to the office on Forsyth street and checked over the amounts and extensions were correct. Of course, this work has to be very carefully done, so that the proper amount of money is drawn from the bank. This checking took me until about 12:20 p. m.

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"On Friday evening I got home at about 6:30, had my supper, washed up, and with my wife played a game of auction bridge at a friend's home in the evening. My wife and I returned home and retired about 11 o'clock.

"move Saturday night. I retired Saturday night. Sunday morning about 7 o'clock I was awakened by the telephone ringing and a man's voice which I afterwards found out to be Detective Starnes, said: 'I want you to come down to the factory.' 'What is the trouble?' I asked. 'Has there been a fire?' 'No,' he said. 'A tragedy has occurred.' I said, 'All right,' and he said he would send an auto.

"They came before I finished dressing. At this point I differ with the detectives, Black and Starnes, about where the conversation took place. They say it was after we were in the machine. I say it was before we left the house, before my wife. At any rate, here is what was said:

"They asked me if I knew Mary Phagan. I answered that I did not. They asked me if I did not pay off a little girl with long hair down her back the afternoon before. I said I did. They said they wanted me to go to the undertaking establishment to see if I could identify the body. They made the trip to the undertaking establishment very quickly. I went in and stood in the doorway. The attendant removed the sheet from the little girl's face and turned the head toward me. His finger was right by the eye on the head. I noticed her nostrils were filled with wax and cotton and there were several alcohol ointments. I noticed a piece of cord around her neck, the kind we used in the pencil factory. I said I looked like a little girl that came to the factory the day before. They had already told me it was not my girl.

"We went to the factory, and by examining the payroll, I found that Mary Phagan had drawn her pay the day before and that the amount was \$1.20.

"Saw Darley Going In.
"As we went into the factory I noticed Mr. Darley going in. We went to the office and I found Newt Leo in the custody of the officers. They told me they wanted to go down into the basement. I got the elevator key, but when I tried to start the elevator machinery I found I could not and I told Mr. Darley to see if he could start it.

"He started the car, and when we got further down I found that one of the chains had slipped. They showed me where the body was found, where the sheet was, and pointed out everything that was of any time known. After looking about the basement we got some nails and a hammer, and Mr. Darley nailed up the back door. Back upstairs Mr. Darley, Chief Lanford and myself went on a tour of inspection of the three upper floors. I went through the metal room the same as I did on this trial, and neither Mr. Darley nor myself noticed anything particular on that floor. Nor did Bergeant Lanford, chief of the Atlanta detective force.

"We went to the time clock. I took out the slip and a casual note on it. The slip indicated a note was on it. It had been apparently rubbed out, but could not be rubbed out altogether without rubbing out the printed lines. I did write with a pencil across the face of it, '3:28 a. m.' We noticed a slip but overlooked any slips. I folded the time slip as it is now and handed it to Chief Lanford and the gentlemen. I have heard a great deal during this trial about nervousness.

"I was nervous. I was completely unstrung. Imagine yourself called from sound slumber in the early hours of the morning whisked through the chill morning air without breakfast, to go into that undertaking establishment and have the light suddenly flashed on a scene like that. To see that little girl on the dawn of womanhood so cruelly murdered—it was a scene that would have melted stone. Is it any wonder I was nervous?"

"Saw Murderer Notes.
"I got in an automobile and sat on Mr. Darley's knee. I was trembling, perhaps. Later Sunday morning, I went to the home of Mr. Sig Montag and told him what had occurred. I got home about 11 o'clock. My wife and I went over to my sister-in-law, Mrs. Ursenbach's, and with a number of friends we discussed the tragedy.

"We went back home to dinner and mentioned there the terrible crime. After dinner I read a short time and about 10 minutes to 3 o'clock caught a car down town.

"The conversation on the car was about the little girl that had been found dead in the factory."

"Went to Meet Wife.
"I went to the Hans home, stayed there until about 6 o'clock and started away. My wife had left word that I was to call her up at the Hans home. I went over and met her a few minutes before 7 o'clock. She was at the Hans home. Between 8 and 8:30, we were at home and had supper and were reading the newspapers. I called up my brother-in-law, and retired about 10:30 o'clock.

"The next morning I arose at 7:30. While dressing, the door bell rang and my wife answered it. I came down the stairs and learned that Black and Haslett were there. They said they wanted me to go to the police headquarters. We walked down Georgia avenue, and I asked Haslett: 'What is the matter at the station?' Haslett answered: 'Newt Leo has been saying things.' I asked him what had he said.

"Haslett answered that Chief Lanford would tell me when we got to headquarters. We waited around the station about an hour. Mr. Montag and some friends came up and I spoke to them. About that time Lora Rosser came up and he said: 'Hello, boys! What's the matter?' Hans and Rosser walked out together. Lanford, who appeared to be busy answering the phone, came in and shouted: 'Come, here!'

"Showed Me Time Slip.
"He showed me the time slip and questioned me about it. We were in the room alone. I heard Mr. Rosser outside say: 'I'm coming into that room; that man's my client!' That was the first time I knew that Rosser was my attorney.

"Beavers then came in and asked me to make a statement, and I told him I sure would. I thought it was only right. I heard Beavers and Lanford say that a man who committed such a crime would be all marked up with bruises. When I heard that he showed them my body. The detectives then went to my house to examine my clothes. They took out, piece by piece, and looked at each. They appeared to be very satisfied.

"After dinner, while at home, I telephoned to Schiff and told him to employ a detective, preferably, a Pinkerton, to work in co-operation with the city detectives. I then went back to the factory. Schiff, Quinn and a number of others were there. The factory was closed down because the girls were demoralized over the tragedy.

"At this time Mrs. Frank left her seat to bring her husband a glass of water. He smiled his thanks. 'Barrett told me of the hair on the machine, and said that the strands were so few that he couldn't see

them until he wrapped them around his fingers several times.

"Care Given to Factory.
"Now, gentlemen, if there is anything about that factory, after my seven years in charge of the place, it is the care that I have given it. We use drawing compound on the floor, metal and tools. Opposite the dressing room there is a scrap barrel. Fluid put in the barrel will naturally flow on the floor. There is a great deal of lubricant used on the machines, and, naturally, it has formed a cake from a half inch to an inch around the machine.

"All of the accidents that occur in the factory are not reported, except in cases where the injured employee is incapacitated. There are many who cut their fingers, but such accidents are not reported. When they cut their fingers they invariably pass by the dressing room. About those spots on the floor, I am examined them myself, and you could scrape dirt from the spots that had accumulated several days.

"The spots, had they been blood stains and being coming to the compound, would have been pink, not white.

"Then took the financial sheets that were made out a week previous to the Montag, and had a long conversation with him. I wrote a telegram to my uncle, telling him that I was all right, and asked him not to worry. I saw Hynes, one of the salesmen, and we walked over to the factory. Harry Scott came in and spoke to me in the presence of Darley.

"Gave Scott All Details.
"I gave Scott all the details I had, including the negro lurking near the building. I showed Scott all through the building. I took him into the metal room and showed him the table and the lathe.

"Then we went on the fourth floor and looked around, going next to the basement. We made a thorough search of the basement. Scott looked all around the place. I saw him pick up several articles, and I noticed particularly that he picked up a piece of cord like that found around the girl's throat.

"I asked about the rates of the Pinkerton agency, and then telephoned Montag and he agreed to employ that agency for at least a few days. Scott went back to headquarters, and after explaining to me that it was the custom of the agency to work with city detectives on such cases, I went home and had supper. My wife and I later retired.

"On Tuesday I arose at 8:10, and arrived at the factory at 8:30. At 9:30 I went to Montag Brothers, and had quite a conversation, returning with Mr. Jordan to the pencil factory. I did some routine work, putting papers away. Scott came down and took me to police headquarters in an automobile.

"I answered willingly all of Chief Lanford's questions. About that time Black and Scott came in with a bundle, and they asked me if I had a shirt like the sample which they showed me. Newt Leo was brought in, and they asked him. Leo said that he had once possessed a shirt like it. I sat in the office until 12 o'clock.

"When Mr. Rosser later came in and told me that Beavers had decided that it would be best to detain me, Detective Starnes came in and dictated to me one of the notes to get a sample of my handwriting. I wrote as Starnes dictated. Starnes spelled out each word. When I was through I put a date on it so that I might identify it and to prevent any assurances being made.

"I was glad, as you can see, to let them compare my handwriting with the notes.

"Conference With Frank.
"Now, about midnight Tuesday Scott and Black came in and said, 'Mr. Frank, we want to talk to you a little bit. They stressed the belief that possibly the watchman let coins in the factory. I told them that I didn't know of such a practice, and that had I known of any such conduct I certainly would have stopped it.'

"Then Detective Black said: 'You are Leo's boss. We can't get him to talk, and want you to see what you can get out of him. Tell him, and tell him strong, that he had better

move Saturday night. I retired Saturday night. Sunday morning about 7 o'clock I was awakened by the telephone ringing and a man's voice which I afterwards found out to be Detective Starnes, said: 'I want you to come down to the factory.' 'What is the trouble?' I asked. 'Has there been a fire?' 'No,' he said. 'A tragedy has occurred.' I said, 'All right,' and he said he would send an auto.

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"Gave Scott All Details.
"I gave Scott all the details I had, including the negro lurking near the building. I showed Scott all through the building. I took him into the metal room and showed him the table and the lathe.

"Then we went on the fourth floor and looked around, going next to the basement. We made a thorough search of the basement. Scott looked all around the place. I saw him pick up several articles, and I noticed particularly that he picked up a piece of cord like that found around the girl's throat.

"I asked about the rates of the Pinkerton agency, and then telephoned Montag and he agreed to employ that agency for at least a few days. Scott went back to headquarters, and after explaining to me that it was the custom of the agency to work with city detectives on such cases, I went home and had supper. My wife and I later retired.

"On Tuesday I arose at 8:10, and arrived at the factory at 8:30. At 9:30 I went to Montag Brothers, and had quite a conversation, returning with Mr. Jordan to the pencil factory. I did some routine work, putting papers away. Scott came down and took me to police headquarters in an automobile.

"I answered willingly all of Chief Lanford's questions. About that time Black and Scott came in with a bundle, and they asked me if I had a shirt like the sample which they showed me. Newt Leo was brought in, and they asked him. Leo said that he had once possessed a shirt like it. I sat in the office until 12 o'clock.

"When Mr. Rosser later came in and told me that Beavers had decided that it would be best to detain me, Detective Starnes came in and dictated to me one of the notes to get a sample of my handwriting. I wrote as Starnes dictated. Starnes spelled out each word. When I was through I put a date on it so that I might identify it and to prevent any assurances being made.

"I was glad, as you can see, to let them compare my handwriting with the notes.

"Conference With Frank.
"Now, about midnight Tuesday Scott and Black came in and said, 'Mr. Frank, we want to talk to you a little bit. They stressed the belief that possibly the watchman let coins in the factory. I told them that I didn't know of such a practice, and that had I known of any such conduct I certainly would have stopped it.'

"Then Detective Black said: 'You are Leo's boss. We can't get him to talk, and want you to see what you can get out of him. Tell him, and tell him strong, that he had better

CLIMAX WAS REACHED WITH FRANK ON STAND

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open up and tell the truth, or we will both go to hell.' I said I would do what I could. They brought Lee in and handcuffed him to a chair. I said, 'Lee, do you know anything about that murder? If you do, tell the truth, or we will both go to hell.' Lee replied 'Lord God, boss, I don't know a thing.'

"Now, that was my first insight into the third degree practiced down at police headquarters. They put Lee through it and he shrieked and cried.

"Let us look into the charge that they have made that I would not see Jim Conley. I went to the undertaking establishment voluntarily and then I went to the station house. There I answered every question they asked. I went again Tuesday and answered all I was asked, agreeing to speak to Lee alone.

"What was the result?

Distorted My Meaning.

"They put words into my mouth that I never uttered, and so distorted my meaning that I decided that if that was the sort of treatment they were going to give me, it would be best to wash my hands of them. Black came to me and said that he had a suspicion that Darley had something to do with the murder, asking me what I knew about him.

"I told Black that he had come to the wrong person. Darley is the soul of honor. Black walked away, saying to Scott: 'Come on, Scott; you can't get anything—there's nothing doing!'

"Now, about the charge that I did not say anything about Conley's ability to write. I want to say that I told the detectives that Conley could write, because I received too many notes from him asking for money loans. I told them to go look in the drawer of the safe and that they would find a note with the address of the jeweler who sold Conley a watch.

"Gentlemen, the person who paved the way to developing the fact that Conley could write is sitting in this chair (pointing to the chair in which he was seated.)

This Charge Is False.

"About the charge that my wife did not come to see me, it is all false. She did visit me and she was willing to share the cell with me, but I did

not want to subject her to the embarrassment and annoyance which would be the natural consequence. I wanted to save her from snap-shooters and detectives. I consulted Rabbi Marx and he advised me that it would be best for her not to stay with me.

"I never saw Conley in the factory on that date. The statement of Dalton about him bringing Daisy Hopkins into my office is false. I never peered into the girls' dressing rooms, as Irene Jackson testifies. It is nothing more than a room in which the girls change outer garments. I had learned that girls flirted from the window and I wanted to break up the practice.

"I never looked into that room at any time when I had reasons to suspect that girls were dressing or undressing therein. The employees are supposed to be through undressing at 7 o'clock in the morning.

Conley's Statement a Lie.

"Conley's statement is a lie from first to last. The statement that women came into my office is infamous, and the statement that he saw me in that unspeakable position with them is a lie so vile and vicious that I have not the language with which to denounce it.

"Some of the newspaper men have referred to me as the 'silent man of the Tower.' Yes, I was silent. Silent under advice. This is the time and this is the place. Gentlemen, I have told the truth, the whole truth."

With which he quit the stand.

Resuming his seat, Frank's wife worked up to a high nervous tension, reached out before he fairly settled into his chair, threw her arms around his neck, sobbing:

"Oh, Leo! Oh, Leo!"

Her sobs could be heard throughout the courtroom. His mother, Mrs. Rae Frank, seated in the rear, fell upon the accused man's shoulders, weeping unrestrainedly.

The jury filed past, each man at his turn throwing a sidelong glance at the trio. Friends formed around Frank, and veritably shook him from the embrace of his wife and mother, showering him with a flood of cordial handshakes.

Frank, evidently to hide emotion which certainly must have swayed him, beckoned Sheriff Mangum and they hurriedly left the courtroom.