

# SIXTH INSTALLMENT OF COMPLETE LEO. M. FRANK TESTIMONY

## Testimony of Minola McKnight, Cook in Frank Household, Indicates Accused Man Is Victim of Amazing "Frame-Up."

### FORCED TO SWEAR HIS LIFE AWAY

As a negro furnished the testimony upon which the State of Georgia hoped to hang Leo M. Frank for the murder of Mary Phagan in the National Pencil Factory in Atlanta, Ga., so a negro woman gave the defense its strongest card in its contention that the whole case against Frank was a tissue of lies and perjuries and a "frame-up" from start to finish.

The testimony of this negress, Minola McKnight, a cook in the home of Frank and his wife, who lived with Mrs. Frank's parents, is presented in today's installment of the Phagan murder trial evidence. If it is worthy of the slightest credence—and it is offered, as has been all the other testimony in the famous trial, for the review and unbiased judgment of the general public—it makes Frank the victim of a determination on the part of the police and the Solicitor General of Fulton county, to send him to the gallows regardless of his innocence or guilt.

Minola, who was a type of the ignorant servants in Southern households, swore that she was frightened into signing an utterly false affidavit against Frank by the threats of the detectives to keep her in jail until she did. No amount of grilling by the solicitor could budge her in the least. She didn't even know all that was in the statement, she said. It purported to relate conversations in the Frank home that were most damaging to the defendant, but Minola told the court that she would have signed anything to get out of that cell at Police Headquarters.

Surpassing in dramatic interest even the startling accusations against Dorsey and the police by the McKnight woman was the denunciation of the solicitor by Mrs. Rae Frank of Brooklyn, mother of the prisoner, who threw the court into turmoil toward the end of the trial by interrupting Dorsey in the midst of his cross-examination and exclaiming that he was well aware of the falsity of his insinuations of immorality against her son.

The elder Mrs. Frank had sat in silence throughout the greater part of the fearful ordeal. Her only sign when the negro Conley was telling his vile story was the lowering of her head. Time after time Dorsey came back to the subject of her son's alleged immoral practices. Toward the last it became apparent that it was becoming more than the loyal mother spirit could endure. As Dorsey began questioning a witness concerning incidents at the factory of which, if they actually had happened the witness could know nothing, Mrs. Frank's indignation broke its bounds and she screamed out her wrath at the solicitor regardless of the dignity of the court and the efforts of Frank's counsel to calm her.

The cross-examination leading up to her outbreak is included in today's installment so far as it properly may be printed. Frank's lawyers, nearing the close of their case, are marshalling witnesses by the score to testify to the good reputation and character of the defendant and to discredit the witnesses for the State.

Girls at the factory swore that they never had known or heard of any wrong conduct on the part of Frank. Frank's college mates and his instructors at Cornell went to Atlanta to testify to his clean record in school. Neighbors in Brooklyn said his life had been exemplary so far as they had known. One factory girl, becoming somewhat hysterical, professed her willingness to die in place of Frank, whom she "knew" to be innocent.

All of the testimony presented by the defense was preliminary to a remarkable statement by the prisoner himself which will be published in a succeeding installment in this paper.

The defense achieved its most pronounced success in demonstrating Jim Conley a liar of exceptional magnitude in the testimony of Harry Scott, Pinkerton detective, reproduced in last week's installment. The detective, under the close questioning of Luther Rosser, admitted that the negro on the stand had changed in a score of important places the story of what transpired on the day of the tragedy as he had previously related it to the police.

Other witnesses were Dr. L. W. Childs, a medical expert, who ridiculed the time estimates made by Dr. H. F. Harris, a State expert; Daisy Hopkins, the woman in the case, who made complete denial that she had attended the alleged gay parties in Frank's office, and W. M. Matthews, a motorman, who swore that Mary Phagan rode to town on his car.

Matthews said that Mary did not leave the car at Forsyth and Marietta streets, as one of the State's witnesses, young George Epps, had sworn. He also attacked Epps's story by testifying that he did not see the boy sit with Mary and, in fact, did not see him on the car.

He said that he saw another girl in the seat with Mary whom he did not know, and that the two got off the car together at Broad and Hunter streets. Epps early in the trial testified that he sat with Mary on her ride to town the day of the murder and got off the car with her at Forsyth and Marietta streets.

As today's installment opens Solicitor Dorsey is conducting a vigorous cross-examination of the witness. He had just asked Matthews why he is willing to tell the jury that Mary came around to Hunter street and did not get off back at Marietta and Forsyth streets. To this Matthews replied: "Well, because it's the truth; that's the reason I'm willing to tell it." Today's installment continues from this point:

Q. Now, out of the hundreds of people that ride on your car day after day, and especially Saturday and Sunday, will you give this jury one reason why you are able positively to swear that Mary didn't get off at Broad and Marietta streets—that it was that girl who was sitting in the seat with her? A. No, sir, I can't give you one good reason.

Q. Well, let us have it. A. Well, when I was sitting down there in the car there was a street car conductor sitting down behind me—an ex-conductor—and this ex-conductor had a little badge on his coat right there, and I reached over and looked at it and it had a little girl's picture, and I reached over to where Mary was and I says: "Little girl, here is your picture," and she says: "No, it is not."

Q. You said: "Little girl." A. That's what I called her and she says: "No, it is not." Q. Weren't you talking to the other girl with her? A. No, sir, I never said a word to her. Q. Who was the other girl? A. I don't know, sir, who she was. Q. But you have looked for her and

the car at this point and that Mary walked down Forsyth toward the pencil factory. Mary stayed on the car, Hollis thought. On the car, Hollis thought, he denied his car ever came into town two or three minutes ahead of time. The rules were strict against this practice, he said. He admitted later there might be an exception to this on the last run at night, but never in the middle of the day, at the time the Phagan girl was aboard the car.

Ira Kauffman, a civil engineer, next testified to making a plat of the Frank residence, and gave it as his opinion, from his inspection of the house and from experiments, that Albert McKnight, a negro called by the State, would have found it impossible, sitting in the kitchen, to have looked into the mirror in the dining room and seen Frank go to the sideboard. McKnight had testified that he was in the kitchen of the Frank home, and through a mirror, saw Frank enter the dining room at about 1:30 o'clock the day the crime was committed. He said he saw him go to the sideboard and saw him leave within five or ten minutes without eating any luncheon. Mr. Kauffman said it was impossible to see any person in three or four feet to the sideboard.

The witness also made drawings of the pencil factory, and found that when the door of the outer office was open it virtually shut off the view of the inner office, where Frank stayed, supporting the contention of the defense that Frank might have been in his office when Monteen Stover said she did not find him.

J. Q. Adams, a photographer, was called, and submitted photographs of the house and pencil factory for the purpose of demonstrating the same physical circumstances.

### Testifies He Saw Frank in Street Car.

Direct examination by Mr. Arnold.

Q. What is your name? A. H. J. Hinchey.

Q. Do you know Leo M. Frank? A. I neglected to do so.

Q. How long have you known him? A. Between four and five years.

Q. What is your business? A. I am a mechanical engineer for the South Atlantic.

Q. Do you recollect last Memorial Day, April 26 (Confederate Memorial Day)? A. Yes, sir.

Q. Did you see Mr. Frank that day? A. Yes, sir.

Q. Where did you see him? A. I saw him just about opposite the main entrance of the Capitol, on Washington street.

Q. Were you or not in a car? A. I was in an automobile.

Q. Where was Mr. Frank? A. He was in a Washington street car.

Q. In a Washington street car? A. Yes, sir—I couldn't say positively that it was a Washington street car.

Q. It came up from down Washington street, coming into the city? A. Yes, sir.

Q. You recall that you saw him? A. Yes, sir.

Q. What time was it? A. Between 2 and 2:15 o'clock. I could not get through the crowds in the center of the town and I drove out to West Mitchell.

Q. You didn't see anybody else? A. Yes, sir, I saw lots of people.

Q. Who else? A. I didn't see anybody else that I recognized.

Q. Nobody attracted your attention except him? A. Not especially.

Q. How many times in the city prison? A. None at all. I have seen him but once since this matter came up.

Q. You discussed this matter with him at the time? A. No, sir, not in detail.

Q. How do you remember seeing him? A. The morning when I picked up the paper and read about the murder at the pencil factory I naturally thought about Mr. Frank, because I knew him.

### Swears He Saw Frank Only Once.

Cross-examination by Mr. Hooper.

Q. How many times did you see Mr. Frank on the street car? A. I saw him only one time. That was just for the moment, because I was too much occupied with driving and reading the way of the cars and other vehicles.

Q. The crowd was very thick there? A. Yes, sir.

Q. How do you remember seeing him? A. I had had previous dealings with him as a street car conductor, and I had figured on some special work which came into my mind the moment I saw him. I was intending to call at the factory, and I had seen her in regard to this work, and it came to my

mind the instant I saw him that I had neglected to do so.

Q. Right there in that jam it came to you? A. The street car was the only thing between me and Mr. Frank.

Q. You didn't see anybody else? A. Yes, sir, I saw lots of people.

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### No Blood Where Conley Said Body Lay, Says Darley--Denies Other Testimony of Negro.

Direct examination by Mr. Arnold.

Q. Mr. Darley, I believe you stated when you were on the stand before that you were general manager of this factory? A. I have the management of the factory proper, yes, sir.

Q. Suppose the safe door is open in the outer office on the second floor, what view have you into the inner office?—Mr. Frank's office—from the outside? A. Yes, sir, I could see practically none, you might stand on your tiptoes and look over the door of the safe. A man of my height could just tip toe and look over it.

Q. Have you ever seen this little white girl? A. Yes, sir.

Q. Could she see over it? A. I don't think she could.

Q. Could she see over it by standing on her tiptoes? A. I think not.

As the reader readily sees, the endeavor of the defense here is to establish the probability that Frank actually was at his desk in the inner room when Monteen Stover came to the outer office, but was obscured from the little girl's view by the safe door, which swung in front of the doorway between the two offices. The prosecution contended that the reason the Stover girl did not see him was because she entered the factory just after Frank had left his office to lure Mary Phagan to the metal room.

Q. How many times did you look over that same line there? A. I don't think I have looked over it fifty or a hundred times, then I passed there otherwise, too.

### Factory Entrance Darker Than Usual.

Q. I forgot to ask you, what kind of a day was April 26? A. It was a cloudy day, but not raining, and I didn't think I had a chance to see anything.

Q. Was this entrance around the steps and around the elevator on the

## Loyal Wife of Thrice-Convicted Man



Mrs. Lucile Frank, Who Has Fought Tirelessly to Save Her Husband, and Visits Him Daily in His Cell.

first floor dark or not that morning? A. Yes, sir, it was dark. Q. It was darker than usual, wasn't it? A. Yes, sir, it was darker than usual because the front doors were closed. Q. Can you stand on the outside of the factory and look through to the elevator? A. No, sir.

### Witness Tells of Negro Watchman.

Q. It was testified by Mr. Dalton that a darky, the watchman, was there in the factory after 11 o'clock, is that true? A. Yes, sir, he was either Mr. Kendrick or his father. They are white men.

Q. Was there a negro night watchman there in the fall of last year? A. No, sir.

Q. Or in the summer of last year? A. No, sir.

Q. When did you first hire a negro night watchman? A. About three weeks before.

Q. Before the little girl was killed? A. Yes, sir.

Q. And up to that time if any one says they came in contact with a colored night watchman in the building, was that or not an error? A. There was none employed by me, no, sir.

Q. Was there or not a colored night watchman there up to April, 1913? A. Not in the two years I have been there.

Q. Was there anybody else that stayed there with Mr. Holloway, the day watchman, on Saturdays, after hours—after the factory closed? A. Usually the office boy stayed there, and my recollection is, sometimes the stenographer. Then there was Walter Pride, a negro. He gets a stipulated amount each week and stays there every Saturday afternoon, supposed to be there until 12 o'clock. We were there Monday after the crime? A. Yes, sir.

Q. What was his appearance? A. Well, he looked to me like he was excited and when I spoke to him, he didn't look up like he generally does.

Q. Well, did he or not by his actions attract your attention? A. I went around that morning to look at the factory on that day? A. Yes, sir.

Q. Now, you say you have been at the factory—how long? A. I have been there two years since we took over on April 7, this last April.

Q. Now, I direct your attention to a period beginning with June of last year and running on up through April and first, I'm going to ask you if you knew a girl by the name of Daisy Hopkins? A. No, sir, I didn't know her.

Q. Did you know of a girl by that name working there? A. Yes, sir, she was there this morning I remembered her face, but I didn't remember her name.

Q. But you know she had been in the factory ever since? A. Yes, sir, she had been in the factory ever since.

Q. Did you ever see this man Dalton that was in court here? A. No, sir, not to my knowledge; I never saw him until this morning.

Q. Did you ever see him at the factory that you recollect? A. No, sir.

Q. Herbert Schiff generally helped Frank with this financial sheet on Saturdays, didn't he? A. When he was there, yes, sir.

Q. Except when Schiff was on his vacation, was he or not there? A. I remember very few Saturdays that Mr. Schiff was not in the office with Mr. Frank. I have gone there a few times and he wouldn't be there.

Q. Do you remember whether or not he was his vacation Saturday? A. Well, that's not clear.

Q. Was that within the whole two years you are talking about? A. Yes, sir.

Q. Now, how long did the day watchman stay on Saturdays? A. Well, I wasn't always there to see how long

he stayed there, but he was instructed to stay until the other watchman came on.

Q. The watchman was under your orders and Mr. Frank's orders? A. Yes, sir.

Q. He was as much under you as he was under Mr. Frank? A. Yes, sir.

Q. And so was this negro, Conley, wasn't he? A. Yes, sir.

Q. I will ask you if you didn't come into more immediate contact with the help than Mr. Frank did? A. Ninety per cent, more, I suppose, sir.

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