

# Defense Will Seek to Show That Mary Phagan's Body Was Tossed Down a Chute in Rear of Pencil Factory And Not Taken Down by Elevator As the State Insists

*Their Testimony Is Favorable to Leo Frank*



W. T. HOLLIS,

Street car conductor, whose testimony discredits story told on stand by George Epps, newsboy.



W. M. MATTHEWS,

Street car motorman, who testified that Mary Phagan boarded the street car at Lindsey street, and was alone.



IRA KAUFFMAN,

Civil engineer, who declares body could easily be shot through chute in rear of pencil factory from first floor to basement.

Eleven Witnesses Are Introduced Friday to Prove Discrepancies in Time Given by Witnesses for the State. Miss Daisy Hopkins Goes on Stand and Swears That She Never Visited Factory With Dalton, But on Cross-Examination She Admitted Having Been in Jail Recently—She Denied That She Knew Frank.

## HOLLOWAY'S TESTIMONY RIDDLED BY SOLICITOR; MEMORY FORSAKES HIM

Confesses That He Had Told Detectives the Day That He Caused the Arrest of Conley That "If He's Convicted, Remember He's My Nigger"—From Present Indications the Trial Will Be Continued for Two Weeks Longer, and Defense Will Introduce Character Witnesses.

The defense in the Leo M. Frank trial introduced eleven witnesses Friday and a mass of testimony to prove that witnesses for the state were incorrect as to time was presented.

From questions put to Ira Kauffman, civil engineer, who made a drawing of the building, it was evident the defense will seek to show that the body of Mary Phagan was never taken down on the elevator, but was thrown down a chute in the rear of the building leading from the first floor to the basement.

## Blood Spots Found.

It is stated that the defense has found blood status on the floor of the dark passageway leading to the rear of the building.

It is the purpose of the defense to show that the girl could have been killed on the first floor of the building without Frank knowing anything about it.

A large model of the building, made from blue prints, was brought into the court room, and witnesses were asked to point out just how it would have been possible for the crime to have been committed on this floor and the body hurled down the chute.

Frank Hooper, who is assisting Solicitor Dorsey for the state, asked T. H. Willett, the maker of the model, a number of questions, the purpose of which was to show that the model was imperfectly made.

Daisy Hopkins, the young woman C. B. Dalton testified went to the pencil factory with him for immoral purposes, was placed on the stand early in the day. She denied having gone to the factory with Dalton. On cross-examination she admitted having been in jail recently. She was questioned as to the ailment for which she was under the care of a doctor. She denied she knew Frank.

Testimony was introduced by W. M. Matthews, a motorman, and W. T. Hollis, a conductor on the car on which Mary Phagan rode to town the day building. He also pointed out various

of her death, to disprove the statement of the Epps boy that he had accompanied the Phagan girl to town, and to show that the car reached the city later than Epps had testified.

Matthews stated Mary Phagan did not leave the car at Marietta street, but got off at Hunter and Broad streets in company with a girl. Hollis stated he did not see her with a girl, but coincided with Matthews as to time.

The purpose of this testimony is to show that the evidence of the Stover girl is of little value—that Mary Phagan reached the factory later than the state claims.

Harry Scott was recalled by Solicitor Dorsey. He explained that when Conley wrote the first note, at his dictation, it took him some seven minutes, but when he discovered he could write and was not attempting to conceal anything it took him a much shorter time.

N. V. Darley was recalled by the defense. He told of the general condition of the factory floor and of the frequent finding of blood spots in the

parts of the building on the model. He stated he left the factory at 9 o'clock Memorial day. Conley contends he left at 11 o'clock.

### Holloway Gets Muddled.

E. F. Holloway, who was used by the state last week, was placed on the stand by the defense. On the direct examination by Mr. Arnold he answered questions with a cock-sure tone of voice, which promised he would prove a valuable witness for the defense. On the cross-examination by Solicitor Dorsey he got hopelessly mixed up and his memory forsook him. He made a number of contradictory statements and the state managed to tear down a good deal of his testimony, which promised well for the defense.

Solicitor Dorsey asked him the direct question if he had not had a conversation with Kendrick, a former night watchman, regarding the times Frank had called up at night, stating to Kendrick that no one would know anything of the conversation. Holloway denied this.

He also denied having stated to a man named Whitfield that something (meaning a club) would be found in the factory.

He said Daisy Hopkins was a nice girl, so far as he knew, and he got mixed up when Solicitor Dorsey showed him a statement he had signed to the opposite effect.

He finally confessed he did not know when Darley had left the factory—after stating it was 9:30 o'clock and 10:45 o'clock. It was all guesswork, he said. At another time he confessed that if he "had said 3 o'clock he meant 4 o'clock."

He was asked if he had ever seen any beer bottles taken out of Frank's office.

"What time?" he asked.

Later he denied having seen any.

He didn't seem to remember what he had previously said about a drayman being at the building, and finally said:

"Well, if I said he was there, he was, and if I said he wasn't, he was not!"

Holloway confessed that he had told the detectives the day he had turned up Conley that, "If he's convicted, remember he's my nigger."

From present indications the trial will last two weeks longer, and it looks as if character witnesses will be introduced by the defense.