

N. V. Darley Denies Testimony Given by Conley and Dalton

N. V. Darley, general manager of the National Pencil factory, who has already been used as a witness for the prosecution, was called to the stand for the defense following the pattern maker's department.

He was examined by Mr. Arnold.
"You are the general manager of the pencil factory, aren't you?"

"Yes."
"Looking from a point of ground plan, isn't this a correct model of the pencil plant?"

"Yes."
Darley then described various furniture and fixtures in the basement and two floors depicted in the model.

Plain View of Stairway.

"If a body fell down the chute that runs from the first floor to the basement, how far would it land from the spot at which Mary Phagan's body was found?"

"About thirty or forty feet."
"What kind of a view has a man of the stairway if he sits in Frank's office?"

"Plain view."
"Suppose the safe door is open in Frank's office, what view can a person from the outside have into the inner office?"

"Practically none unless they get up close."

"Was there a lounge or bed in the entire pencil factory?"

"No."

"Is there a chair in the metal room?"

"No."
"Nothing but machinery and stock."

"That's all."

"Did you see the spot where Conley says he found the body in the metal room?"

"Yes."

"Did you know Mary Phagan?"

"No."

"What time did you leave the factory on May 26?"

"At 9 o'clock that morning."

"If Jim Conley says, then, about 11 o'clock, he is lying?"

"Yes."

Gives Conley the Lie.

"If he says you came down before Holloway, he is also lying?"

"Yes."

"With whom did you leave the factory?"

"Leo Frank."

"Did you see Conley that day?"

"No."

"Do you know him?"

"Yes."

"Did you ever jolly with him?"

"No. I used to kick him whenever I caught him loafing."

"Did you know a girl named Daisy Hopkins?"

"No, but when I saw her this morning, I remembered her face."

"Did you ever see this man Dalton?"

"Not to my knowledge."

"Was Schiff always in the office on Saturdays?"

"I remember only a few times when he was not."

"Did Frank have anything to do with discharging the help or employing it?"

"No."

"This man Dalton testified he saw a negro nightwatchman at the factory in September. Is this correct?"

No Negro Watchman There.

"There was no colored nightwatchman at the factory until we employed this man Newt Lee three weeks before the murder."

"Did you see Conley on Monday, 28?"

"Yes."

"What was his appearance?"

"He appeared nervous and would not look up at me when I spoke to him."

"Did his appearance cause suspicion?"

"Yes, and I told Holloway to keep an eye on him."

Objection by Solicitor Dorsey on this answer was sustained.

"What did he do Tuesday?"

"Worked in his usual way."

"He was familiar with every part of the building?"

"Yes."

"Did you ever give him any instructions as to what should be done on Saturdays?"

"Yes, I told him to knock off at 12 noon."

"Did you permit anyone of the help to stay there after 12 o'clock on Saturdays?"

"None of the negroes stayed to my knowledge."

Cross-Examination Begins.

Here the cross-examination was begun by the solicitor.

"Mr. Darley, did you make any contribution to the defense of Frank?"

"No."

"Did you know anything of Daisy Hopkins' general character?"

"No."

"Do you know that the chute on the first floor was nailed up Monday?"

"It was not nailed the first time I saw it."

"When did you first see it?"

"I do not recall, exactly, but it must have been when the insurance men ordered the general clean up."

"If anyone had shot a corpse down the chute, wouldn't he have found a world of boxes and crates at the mouth, behind which the body could have been hidden indefinitely?"

"Yes."

"So far as you know, Frank could have dismissed the night watchman and could have put Conley to watching the front door for him?"

"I wasn't there that afternoon."

"There'd be no reason to have hasco-line on the floors, would there?"

"No business reason."

Would Be Carelessness.

"Then, if there would be no business reason, it would be carelessness, wouldn't it?"

"Yes."

"Do you undertake to say that this model is accurate in measurements and perspective?"

"So far as I can remember."

Arnold resumed the direct examination.

"Was there any water on the floor where Jim Conley says the body was found in the metal room?"

"I noticed none."

"If a spot of blood from a mouse got on the floor two years ago, it would still be there, wouldn't it?"

"I suppose so."

Dorsey's objection to this question and answer was sustained.

Dorsey resumed the cross-examination.

"You say the state of blood was not sufficient to excite comment?"

"Not that particular spot on the metal room."

"Did you not report its discovery to the police?"

"Yes."

"To whom did you first report Conley's nervousness?"

"Harry Scott, I think."