

"Did Mr. Dorsey subpoena you?"
"No, he telephoned me."
Dorsey Renews Questioning.
Mr. Dorsey then renewed his cross-examination.
"Was it customary for Frank to make engagements on Friday afternoon to go to places Saturday afternoon and leave the financial sheet uncompleted when it had to be at Montag's on Monday?"
"No."
"How long would it take Frank to go from the Pencil factory to Montag's?"
"I don't know."
"There are only short blocks along the way, aren't there?"
"The block on Forsyth from Hunter to Mitchell is a long one," replied the witness.
"What time on Monday was it that you observed the peculiar bearing of Conley?"
"About 7:30 or 8 in the morning."
"What time was it you went with Starnes to arrest Gant?"
"In the morning. I don't know what time."
"Was it after the plant was shut down that you went with Starnes to arrest Gant?"
"Yes."
"You don't know whether the detectives found out Conley could write before you told them, do you?"
"No, sir."
Mr. Arnold held the witness for one more question.
"Is there any way to shut all the light out of the metal room in the day time?"
"No, sir," the witness replied. He was then excused, having been on the stand for two hours and forty-five minutes Monday.

"Didn't you hear him say he could?"
"No, I did not."
Dictation to the stenographer and the work necessary to complete the financial sheet represents all the work of that kind done in the office that day, doesn't it?"
"Yes, as far as I know."
"Is there anything to show that Frank had anything to do with billing those eleven orders?"
"Yes, his handwriting shows he did it."

Witness Admits Mistake.

By a series of questions the solicitor finally got the witness confused on one point and made him admit a mistake. He then took up Schiff's testimony before the inquest.

"Didn't you say at the inquest that it would take from one and a half to two hours to get up the financial sheet?"

Schiff declared that he had sworn to two and a half to three hours, or there had been a mistake somewhere.

"Well, if you swore to one and a half hours to two hours then, and now make the time longer, will you please tell the jury why?" asked Solicitor Dorsey.

"I must have misunderstood the question, if I swore anything like that at the inquest."

"If a man was working on a job like this and for some reason wanted to get through quicker than usual wouldn't he be able to do it in thirty minutes less than usual?"

"Not and make it look the same and be accurate," replied Schiff.

"Isn't Frank a faster worker than you?"

"Yes, on financial work."

"How much?"

"I can't say."

"Didn't you tell the coroner that Frank could get up the financial sheet in half an hour less time than you?"

"No, I just estimated it."

"Do you deny that you answered it that way?"

"I don't deny the answer, but I didn't use those terms."

"Did you tell the coroner that it would take one and a half hours to balance about \$80 to \$70?"

"Yes, but I didn't mean exactly that. I meant that you can do it if you balance right away. You see, our money is kept in nickels and dimes and it takes a long time to count it."

Denies Thanksgiving Day Incident.

After referring to last Thanksgiving day, one of the occasions mentioned by Jim Conley in his declaration that he acted as "lookout" for Frank, the solicitor began asking Schiff about that date.

"Do you know what Frank did that day?"

"I was with him in the office until 12:30 and I know he did not come back to the factory that afternoon."

"How do you know it?"

"A man who was with him told me."

"Oh," said the solicitor sarcastically, "you told when Mr. Arnold was talking to you that Frank did not come back and you gave the jury the impression that you know it and now you admit it was only hearsay."

"I didn't say I was with him that afternoon," retorted Schiff.

Mr. Dorsey then questioned the witness as to his statement that he remembered the presence of Helen Ferguson in the factory on the day before the murder and he declared that he remembered her and could name a hundred others who were there. The solicitor asked him to name twenty-five, and after he had named several, interrupted by asking him how he remembered so much about that particular occasion. Schiff replied that the murder came right after that and that he had tried to think of everything that had happened the day before and while it was fresh in his mind had impressed it upon himself.

"How do you regulate the clock?"

"By watches and by the 12 o'clock whistle in factories."

"Do you deny that the clock was five minutes fast?"

"No, but I don't think it ever was."

"Do you keep employees who are unreliable and untruthful?"

"We have done so."

"And you have them there now, haven't you?" asked Mr. Dorsey.

Judge L. S. Roan sustained the defense in its objection to this question.

Didn't Try to Fire Conley.

"When did you discover Conley to be unreliable?" the solicitor next asked.

"The first time I spoke to him."

"Didn't you try to fire him and didn't Frank overrule you?"

"No."

"Whoever talked to you about Conley's unworthiness?"

"Plenty of people."

"For instance, Miss Rebecca Carson," commented the solicitor.

"Did you think enough of these complaints to protest to Frank?"

"I was not under Mr. Frank's authority," Schiff replied.

"Oh, you had authority to fire Conley?"

"Yes."

"Why didn't you do it?"

"He ran the business too well."

"When did you first discover his worthlessness?"

"In the first days he went to work."

"Who called your attention to it?"

"I can't recollect; he's been to the chalgang two or three times."

"You are sure, I suppose, that he's been to the chalgang?"

"Yes."

"State positive, now, whether you know by fact or hearsay, that he's been to the chalgang," said Mr. Dorsey.

Objection by Attorney Reuben Arnold started a lengthy dispute.

Judge Roan ruled that the witness could tell only what he knew, and the subject was then changed to the pencil tablets found in the basement.

"Should yellow tablets ever be kept in the basement?"

"No."

"Have you ever seen them there?"

"Yes."

Knew Conley Could Write.

"Did you Jim Conley could write?"

"Yes; I've seen him writing in the basement."

"Did you see Frank on April 29, the day of his arrest?"

"I saw him that morning."

"Frank was anxious about getting the Pinkertons, wasn't he?"

"Yes."

"You say Jim Conley was acting suspiciously. Why didn't you tell Frank about it?"

"I was fixing to go tell Mr. Darley."

"Were you at the factory when the detectives were testing the elevator to see if the noise could be heard on the fourth floor?"

"I was there a while."

"Were you there when Jim went through the factory?"

"Yes."

Judge Urges Haste.

Objection to this question was sustained and Judge Roan asked that the defense not cause any unnecessary delay.

"This is no case to hurry on," said Attorney Ross.

Mr. Arnold then assured the court that they would progress as rapidly as possible. He then took up the examination again.

"You said that making up the financial sheet would require two and a half hours if there were no interruptions?"

"Yes."

"Was Frank frequently interrupted?"

"Yes."

"In the time you have been at the factory, at what time have you known the financial sheet to be made up?"

"Only on Saturday afternoons after Mr. Frank and I got back from dinner," replied the witness.

"Did you ever see a curtain over the glass doors to Frank's office?"

"No, sir."

"Did you ever hear any 'ter-do' about the white stuff found partly covering to blood spots?"

"No, sir."

"State whether or not it is easy to get help?"

"It is not."

"Did the detectives find out that Conley could write by going to you?"

"Yes, sir."

"Was Jim Conley familiar with the basement?"

"Yes, he sure was."

Schiff Admits He Kept Conley Knowing He Was Worthless

H. G. Schiff, Leo Frank's assistant in the National Pencil factory, was put on the stand for a conclusion of the state's cross examination when court convened Monday morning. "How many books and papers were there that you say had not been worked on Friday night, and that you found completed Monday?" asked Solicitor Hugh Dorsey.

finished Friday?"
"Because when I left the office Friday I had not got up the data for them," the witness said.
"If Frank had started to work at 8:30 o'clock Saturday morning and had worked until 10:30, then he could have done that work, couldn't he?" the solicitor asked.
"Yes, I think he could have."
"Isn't it true that he could have done the work in one and a half hours?"
"No, I don't think that possible."