

The State's Case.

The State proved that Leo M. Frank, the general superintendent of the factory, was in his office a little after 12 o'clock on the 26th day of April, 1913, and he admitted having paid Mary Phagan \$1.20, being the wages due her for one day's work. She asked Frank whether the metal had come, in order to know when she could return for work. Frank admits this, and so far as is known, he was the last one who saw her alive. At three o'clock the next morning (Sunday), Newt Lee, the night watchman, found in the basement the body of Mary Phagan strangled to death by a cord of a kind kept generally in the metal room, which is on Frank's floor. She had a cloth tied around her head which was torn from her underskirt. Her drawers were either ripped or cut, and some blood and urine were upon them. Her eye was very black, indicating a blow, and there was a cut two and one-half inches in length about 4 inches above the ear and to the left thereof, which extended through the scalp to the skull. The county physician who examined her on Sunday morning declared there was no violence to the parts, and the blood was characteristic of menstrual flow. There were no external signs of rape. The body was not mutilated, the wounds thereon being on the head and scratches on the elbow, and a wound about two inches below the knee.

The State showed that Mary Phagan had eaten her dinner of bread and cabbage at 11:30 o'clock and had caught the car to go to the pencil factory.