

Title:E F Holloway Sworn In For The State, 17th To Testify  
Category:LEO FRANK TRIAL BRIEF OF EVIDENCE

E. F. HOLLOWAY, sworn for the State.

I am day watchman at the National Pencil factory-worked there two years. I was there on April 26th, from 6:30 a. m. till 11:45. I look after the elevator and freight that come in and out and people that come in and out. As to what I did to the elevator on that Saturday, I didn't do anything except that when Mr. White and Mr. Denham were working on the top floor, I started the elevator up and ripped up a plank for them. The elevator was locked when I sawed that plank for them, but when I left it was unlocked. I locked it Friday night when I left there. But I went off from there Saturday and forgot to lock it. When I made that affidavit for you on May 12th, 1913, I forgot to tell you that I did some sawing for Mr. White and Mr. Denham. The elevator was standing on the office floor when I left there Saturday. I left it standing right there. I had done some sawing for Mr. White and Mr. Denham just before I left and in talking to them I went off and forgot to lock it. In affidavit signed May 12th, 1913, in presence of Starnes, Campbell and others, in answer to question, "Is the power box left locked or unlocked?" I will say I locked it Friday when I left there. I don't remember saying in this affidavit that if the elevator box was kept unlocked on account of insurance companies requiring it that I never heard of it, that they always told me to lock it. I don't remember any questions being asked me about any keys. I read and signed my name to that paper before I signed it. I don't remember stating that I locked it Saturday. I did say in that affidavit it is kept locked all the time. The reason I said at the coroner's inquest that the elevator box was always locked and that I left it locked on Saturday was because I forgot to tell about that sawing. I did that sawing just before I left there Saturday. Friday evening I never heard Mr. Frank say anything to Newt Lee. When I left the factory at 11:45 on Saturday Mr. Frank said to me "You can go ahead if you want to; we will all go at noon. " At about 9:30 Mr. Frank and Mr. Darley went over to Montag Bros. I have seen Gantt talking to Mary Phagan frequently. The stairs leading from the first floor into the basement are in good condition. They haven't been used this year. They have been nailed up all the year. The area on first floor around trap-door down there was cleaned up about two weeks after the insurance people came over and went through the building.

CROSS EXAMINATION.

Mr. Denham and Mr. White were working there Saturday, up on the fourth floor. They were up there when I left the building. Anybody could have walked from the fourth floor to the second floor all day long; there was no obstruction. A man at the stairway on the third floor can see the second floor in front of the clock. The front doors were unlocked all the morning and they were still unlocked when I left. When Mr. Denham and Mr. White asked me to saw some timber for them that morning, I went and got the key and unlocked the motor that runs the elevator. I left it unlocked after that. Anybody could have started the elevator running then by throwing in the switch. I am familiar with the floor back there in the metal department. It is a very dirty, greasy, stained up floor -there isn't a worse one in town. Whenever you walk along there you will fall

down if you are not very particular. The floor has never been washed all the three years that I have been there. You see the analines and white stuff scattered all over the floor every day and the sweepers just sweep it along together. You see spots on the floor quite frequently. We work about 100 girls in the factory. Four or five of them work in the metal room. There is a ladies' dressing room right there where they chipped up the spots, and right across from there is the toilet, not over six feet from it. I have seen blood spots frequently ever since I have been working there around the ladies' toilets and the ladies' dressing rooms; the foreladies would always tell me about it and I have often noticed it when we were working or sweeping or anything of the kind, and I would know what it meant. I would go back and have it cleaned. These spots that Barrett claims to have found I don't recall having noticed before; they would not have attracted my attention. They were right on the way to the ladies' dressing room. Yes, this man Barrett discovered mighty near everything that was discovered in the building, hair, blood, and pay envelope. That is what he says. No, I have never seen Mr. Frank speak to Mary Phagan. I was at the factory at 6:30 Saturday morning. I was the first man that got there. Denham and White came in about 7 o'clock and went up on the fourth floor. They were doing some work up there. I had to saw that plank for them. They told me that it would take them until about 3 o'clock. The office boy, Alonzo Mann, 13 or 14 years old, came in next. Mr. Frank came in about 8:30 or 8:45. He went right in his office, unlocked his safe and got out his books and went to work on them. Mr. Darley was the next one that came in and Miss Mattie Smith the next. She stayed about 10 minutes and went out again. I met Miss Corinthia Hall and Miss Emma Clark at the corner of Hunter and Broad coming toward the factory just as I was leaving. Miss Clark asked me if anybody was there-- said she wanted her wrap, it was turning cold, and I said, "Yes, Mr. Frank will let you have it. " There were several others came in that morning, but they came in while I was up stairs with Mr. White and Mr. Denham. There was no lock at all on the metal room door. Newt Lee closed up the building Friday. He looks after all the doors and windows plumb back to the back door in the basement. There were 7 or 8 negroes about the building, elevator boys and sweepers. On Saturdays they paid off at 12 o'clock, right at the clock. Mr. Frank would always be in his office attending to his books when they paid off. We put up a sign saying that the paying off would be done Friday night instead of Saturday, because Saturday was a holiday. We put four signs on every floor. Elevator shaft is closed by sliding doors. Anybody can raise them, they are not locked. It is very dark around the elevator shaft on the first floor, filled with boxes all around there. We have two clocks. One runs to 100 and the others runs from 100 to 200. Each employee has a number. That is the reason we have two clocks. When Miss Mattie Smith came in she discovered a mistake about her time by the time she reached the clock. Mr. Frank and Mr. Darley corrected it in the office and then she left. Mr. Frank got back from Montag's about 11 o'clock. He had with him the folder in which he carries his papers. Nobody was with him when he came back. He went right up into his office. The stenographer was in the outer office when he got there. These cords here are found laying around everywhere in the building. They come on every bundle of slats that come into the building. The pencils are tied up with those slats at the top floor, brought down by elevator, carried in the packing room and those strings are then put on them. They get in the trash every day and into the basement. It is

impossible to keep them out. I did not see Mary Phagan or Monteen Stover. The negro Conley was familiar with the whole building, every part of it.

RE-DIRECT EXAMINATION.

White and Denham were working on the fourth floor about thirty feet from the elevator. On May 12, 1913, I told you that the elevator was locked because I forgot to tell you I done some sawing. I took the key out, left the elevator unlocked and took the key back and put it in the office. Mr. Darley got to the factory about 9 o'clock Saturday. Miss Mattie Smith got there about 9:10.

RE-CROSS EXAMINATION.

When I gave Mr. Dorsey that affidavit about locking the elevator I was telling more about my habit, the way I usually did it. I forgot to tell him about sawing those planks that Saturday morning and the fact that I sawed those planks makes me know that I left the elevator unlocked. The elevator makes a good deal of noise when it starts and when it stops.

RE-DIRECT EXAMINATION.

I was on the second floor when all of these people came in the factory. Mr. Frank worked on his books until he got ready to go to Montags, I think it was about an hour. I checked freight with a one-legged drayman about 10:30; his wagon was right in front of the door.

E. F. HOLLOWAY, recalled for cross-examination.

I am the day watchman and time keeper. I look after the register to see that everybody registers. No, it was not a habit of Conley to register

or not as he pleased and to get his pay anyhow. If he didn't register

I always got after him. I applied the same rule to him as I did to anybody

else. I never saw Mr. Frank goose, pinch or joke with Conley. I

never saw him touch him in any way, unless it was when he would go in

the office to borrow money, I would see him hand him a quarter, or something. He surely was a good hand at borrowing, but Mr. Frank would

never let him have a nickel but what he owed him. Up till twelve months

ago the sweepers stayed at the factory until about 2:30, but then they

made a rule that any sweeping that wasn't done by noon on Saturday

would have to go over until Monday and since that time no negroes have

been there since 12 o'clock. We never had any negro nightwatchman in July, August, September, or any time last fall. We never had a negro night watchman until we hired Lee, which was about three weeks before the murder. Since June of last year, on Saturday afternoons, I always stayed around the factory and looked after seeing that nobody came in or out, unless they had business. I never have seen anybody go to Conley. Sometimes I would kick him to make him go on to his work. The door that leads to the Clark Woodenware place never was locked. It was nailed up when the Clark Woodenware moved out of there. I nailed it up myself. It was open on the Monday after the murder. It led back to a chute in the rear, and to two water closets on the right. Nobody occupies that now, I was at the factory every Saturday since last June excepting legal holidays when the factory was shut down. I did not miss a single Saturday in July, August, September, October, November, December, and January, excepting legal holidays. On Thanksgiving Day I stayed there until 12 or 1 o'clock. I have never missed a Saturday since I have been working at the factory. I would be relieved on Saturdays at 4:30 p. m. I would go all over the building trying to see that everything is all right. That was my business. I have never known Mr. Frank to have any woman on Saturdays excepting his wife. She came there on Saturdays and went home with him, about once a month. Mr. Schiff helped Mr. Frank on his books on Saturdays. Conley never did watch the door down stairs. If he did, it must have been after 4:30 p. m. I never did see him giving signals to Mr. Frank and Frank giving him signals from upstairs. I was obliged to have seen them if he had watched the door. I sat mainly in the front of the building to see that nobody came in building. I do not recall any Saturday afternoon that Frank and Schiff missed except when Schiff was off on his vacation. I have never seen any of them bring any women in there or take any out. I have never been sick or missed a single Saturday since last year. I would leave about 4:30 Saturday afternoon. I have never seen Dalton in the factory at all.

I wouldn't have let a fellow like that in the building unless I knew what his business was. There was nobody practicing any immoralities in the building. If they did I would know it. I would have put them out quickly. Daisy Hopkins quit sometime in May or June last spring. She has never been there since she quit. Mr. Darley left the factory between 9 and 10 o'clock on April 26th. He was not there after 11 o'clock at all. If he was, he was there after 11:45, the time I left there. I have never seen the front doors locked on Saturday. I was at the factory until noon on Thanksgiving Day. I saw no girls with white shoes and stockings there that day. I never saw Jim Conley that day. I never saw any woman at the factory that day. I sure would have seen Conley had he been watching the door that day. I have seen Mr. Frank at the factory every Saturday afternoon after he comes back from lunch. I would pass in and out of his office three or four times in the afternoon. I have never seen a glass of beer as long as I have been there. I have never seen any women up there. He would be working on his books. Mr. Schiff would be helping him. The stenographer and shipping clerk would sometimes be up there. People would be liable to drop in there on business and I would send them up to Mr. Frank's office. I always kept the door on Saturdays. I never turned it over to Conley or anybody else. I have let Mrs. Frank in and would tell her to go up in the office and have a seat.

This man Wilson worked on Saturday afternoon most all the time. Oiled up the motor and cleaned it while the factory was closed. Pride, Harry Denham, Charlie Lee, and Fast usually worked there on Saturday oiling the machinery after they shut down and different things. They were not shut off by any doors from going anywhere they wanted in the factory. They were liable to come down and around any time. I have never seen the doors either to the outer or inner office of Mr. Frank locked. They have got glass fronts in them that you can see through, and it would not have done any good to have shut them. The windows in Mr. Frank's

office looked right out on Forsyth Street. The shades to them are torn up so they don't amount to much. In the morning they will pull them down-n to keep the sun out. When they are up you can see across the street. Salesmen frequently visited Frank on Saturday afternoons when they came in from their runs without any announcement. I have never known Mr. Frank to refuse to see any of them. It is very dark about the elevator shaft on the ground floor. The shaft is about ten or twelve feet from the steps. If a girl was coming down the steps and a man was in that dark place it would be a very easy job for him to throw her down the shaft. He could grab her before she ever saw him because she would be looking toward the door. The members of the firm of Montag Brothers frequently visited the factory on Saturday afternoons. I remember seeing Drayman McCrary on April 26th. He came around to see if there was any hauling. I don't remember the time. I never saw Conley on April 26th. If he was there he was skulking around and hiding. I never saw McCrary talking to him that day. On Monday morning I saw Conley, instead of being upstairs where he ought to be sweeping, he was down in the shipping room watching the detectives, officers and reporters. I caught him washing his shirt. Looked like he tried to hide it from me. I picked it up and looked at it carefully and it looked like he didn't want me to look at it at all. The day before that he went out with a pair of overalls corresponding to this blue shirt that he has, and he said he wanted to carry them to a negro at Block's candy factory and he had not had time to have gone to the candy factory before he came back and said that they were taking stock over there and would not let him in. The overalls had been washed and dried and I could not tell if there is anything on them or not. I don't know whether he can write or not. At your request today I walked from the middle of the car track at

the corner of Broad and Hunter to the pencil factory and then upstairs in Mr. Frank's office. I walked just in an ordinary way like I thought a lady would walk. It took me two and a half minutes. I walked from the corner of Marietta Street and Forsyth Street to the pencil factory. It took me six minutes.

RE-DIRECT EXAMINATION.

I didn't have any conversation with Kendrick, the night watchman, since this murder was committed as to whether or not Frank ever called him after he left the factory that night. No, I did not try to get Kendrick

to swear that. No, I didn't tell Whitfield the day before they turned up that big club" Be sure to come back tomorrow, you will be certain to find something. " So far as I know the general character of Daisy Hopkins is good. I don't remember telling you the contrary. I don't deny signing that affidavit (Exhibit "I," State). I don't remember telling you in this paper (Exhibit "I," State), "She is anything but a nice girl. You can't depend on what she says. " Yes, I said it in the affidavit I gave it

was 10:45 when Mr. Frank and Mr. Darley left. Mr. Frank got back about 11 o'clock. That was all guess work about the time they left. I never said anything about getting the reward for Jim Conley. I told some of the detectives several days after they came down after the negro if this negro is convicted he is my negro. I knew about the reward being offered. If I told you that I sometimes left the factory at three o'clock I meant four o'clock. Jim Conley worked regularly at the factory except when he was in the stockade thirty days. Conley registered every morning, but a lots of times he would not register at dinner and sometimes at night. I nailed up the door that leads into the Clark Woodenware place on Monday because we never let that door stand open. Mr. Darley told me to do it. I know it was not open on Saturday. It was nailed up Saturday

noon when I left there and it was open Monday when I got there. The chutes back there were nailed up. The one next to the rear end of the building I know was nailed up to keep the Clarke Woodenware people from coming up through there. Boxes were piled up back in there. That stairway back there has been nailed up for some time. Hasn't been used since Christmas. If the negro went out and bought beer I didn't know it. I never saw him. I don't recollect whether the drayman was up there April 26th to get his pay or not. There was so much excitement in the factory on Monday that we shut down about 9:30. Nobody stayed at their work. Jim Conley quit work like everybody else and went out. As to one thing that Conley did that the others didn't do I haven't got any. The shirt he was washing was the same shirt he had been wearing all day. I say that he was trying to hide the shirt because he was trying to push it over behind the pipe where you couldn't see it. He had the shirt on when he was arrested. He was not trying to hide it then.

RE-CROSS EXAMINATION.

I was subpoenaed to Mr. Dorsey's office by regular court subpoenas. I thought I had to go there. There were three or four men when I got there.