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dropped his head and stated, "If you keep that up, we will both go to hell."

On Sunday morning at about 3 o'clock, after Newt Lee, the night watchman, had telephoned the police station about the discovery of the dead body, and the officers had come to the factory, they endeavored to reach Frank by telephone but could not get a response. They telephoned at 7:30 Sunday morning and told Frank that they wanted him to come down to the factory. When they came for him, he was very nervous and trembled. The body at that time had been taken to the undertakers, and according to the evidence of the officers who took Frank by the undertaker's establishment to identify the girl, he (Frank) showed a disinclination to look at the body and did not go into the room where it lay, but turned away at the door.

Frank had made an engagement on Friday to go to the baseball game on Saturday afternoon with his brother-in-law, but broke the engagement, as he said in his statement, because of the financial statement he had to make up, while before the Coroner's Jury, he said he broke the engagement because of threatening weather.

The contention of the State, as will hereafter be disclosed, was that Frank remained at the factory Saturday afternoon to dispose of the body of Mary Phagan, and that that was the reason he gave Newt Lee his unusual leave of absence.