

Title:C B Dalton Sworn In For The State, 32nd To Testify
Category:LEO FRANK TRIAL BRIEF OF EVIDENCE

C. B. DALTON, sworn for the State.

I know Leo M. Frank, Daisy Hopkins, and Jim Conley. I have visited the National Pencil Company three, four or five times. I have been in the office of Leo M. Frank two or three times. I have been down in the basement. I don't know whether Mr. Frank knew I was in the basement

or not, but he knew I was there. I saw Conley there and the night watchman, and he was not Conley. There would be some ladies in Mr. Frank's office. Sometimes there would be two, and sometimes one. May be they didn't work in the mornings and they would be there in the evenings.

CROSS EXAMINATION.

I don't recollect the first time I was in Mr. Frank's office. It was last fall . I have been down there one time this year but Mr. Frank wasn't there. It was Saturday evening. I went in there with Miss Daisy Hopkins. I saw some parties in the office but I don't know them. They were ladies. Sometimes there would be two and sometimes more. I don't know

whether it was the stenographer or not. I don't recollect the next time I saw him in his office. I never saw any gentlemen but Mr. Frank in there.

Every time I was in Mr. Frank's office was before Christmas . Miss Daisy Hopkins introduced me to him. I saw Conley there one time this year

and several times on Saturday evenings. Mr. Frank wasn't there the last time. Conley was sitting there at the front door. When I went down the ladder Miss Daisy went with me. We went back by the trash pile in the basement. I saw an old cot and a stretcher. I have been in Atlanta for ten years. I have never been away over a week. I saw Mr. Frank about two o'clock in the afternoon. There was no curtains drawn in the office.

It was very light in there. I went in the first office, near the stairway.

The night watchman I spoke of was a negro. I saw him about the first of January. I saw a negro night watchman there between September and

December. I lived in Walton County for twenty years. I came right here from Walton County. I was absent from Walton County once for

two or three years and lived in Lawrenceville. I have walked home from

the factory with Miss Laura Atkins and Miss Smith.

RE-DIRECT EXAMINATION.

I gave Jim Conley a half dozen or more quarters. I saw Mr. Frank in his office in the day time. Mr. Frank had Coca-Cola, lemon and lime and beer in the office. I never saw the ladies in his office doing any writing.

RECALLED FOR CROSS EXAMINATION.

Andrew Dalton is my brother-in-law. John Dalton is a first cousin.

I am the Dalton that went to the chain gang for stealing in Walton County in 1894. We all pleaded guilty. The others paid out. I don't know how long I served. I stole a shop hammer. That was in case Number L. There were three cases and the sentences were concurrent. One of the other Daltons stole a plow and I don't know what the other one stole. I was with them. In 1899 at the February term of Walton Superior Court I was indicted for helping steal bale of cotton. In Gwinnett County I was prosecuted for stealing corn, but I came clear.

RE-DIRECT EXAMINATION.

It has been 18 or 20 years since I have been in trouble. I was drunk with the two Dalton boys when we got into that hammer and plow stock scrape.

CROSS EXAMINATION.

I don't know whether I was indicted in 1906 in Walton County for selling liquor. I know Dan Hillman and I know Bob Harris. I don't know whether I was indicted for selling liquor to them or not.

RE-DIRECT EXAMINATION.

Miss Daisy Hopkins knows Mr. Frank. I have seen her talking to him and she told me about it.