

ler's office, she went down to her husband's office and that upon reaching her husband's office she found a note. This is the note she gave me. (The note is dated February 6, '18. "H. H. Call me at Ivy 164, before you go home this P. M. without fail. Cook.") She said her husband had gone to Rome that morning and would return about seven, and if he got that note he would probably kill her and then go after Mr. Candler to kill him, or else would sue her for divorce, and that she was very much perturbed over it. Called Mr. Cook, asking him to come to the office, and carried him back in the private office, called Mrs. Hirsch and my brother, George. I stated, "I represent Mr. Candler and I want to talk with you."

*Mr. Cooper.* I object to what Mr. Forrest Adair said. Of course whatever the defendant said is admissible. I mean the defendant on trial. I am contending that what Mrs. Hirsch said is not admissible, but your Honor has ruled against me. I object to what Mr. Adair said on that occasion.

The Court. The whole conversation is admissible as part of the *res gestae*. Everything that occurred between these three parties or four parties is admissible as a part of the whole transaction.

*Mr. Adair.* Mr. Cook arose and said, "I didn't know that this was what you wanted to talk to me about or I should not have come." And he got up and started towards the door, with a nod of the head he motioned to me and I caught the hint and opened the door and went out with him and left George and

Mrs. Hirsch in the room. When we got to the room adjacent our general office I said, "Cook, what is it you want, what is it we are up against?" and he says, "I don't care to discuss this matter in her presence, nor do I care to discuss it with you; I will talk to old man Candler and nobody else." He says, "I have just found out some things that shock me a great deal." He says, "This is not her first offense. Her husband is one of the best friends I have ever had in my life, and Mr. Candler, like a good many others, is just an old hypocrite, and I won't talk to you about it, I will talk to him and nobody else." I told him if he wished to talk to Mr. Candler, I could probably arrange an appointment, and I would undertake to have Mr. Candler at my office the next morning at half past eight, and he said if I would do that, he would come to my office when he found Mr. Candler there and would talk to him. He says, "I will tell him what he has got to do." I said, "Why don't you tell me and let me communicate it to him?" He says, "No, I will tell him personally what he has got to do." Then he left the office and I went back into the room where George Adair and Mrs. Hirsch was. Told Mrs. Hirsch I had arranged for this appointment in the morning between Mr. Candler and Mr. Cook. After that appointment was over I would communicate with her and have her to call me up. The next morning Mr. Candler came to the office. I called Mr. Cook over the 'phone and told him Mr. Candler was in my office, and we were ready for him to come over. He said that