

The Court admitted the above questions and answers, over the objection of the defendant as above stated, and thereby erred, for the reasons stated.

87 (hhhh). Because the Court over the objection of the defendant, made at the time the evidence was offered, that the same was immaterial, incompetent, illegal and prejudicial to the defendant, permitted the solicitor general to ask the following questions, and the witness, Miss Estelle Winkle, to make the following answers:

Q. Are you acquainted with his (Frank(s) ) general character for lasciviousness; that is, his relations with girls and women?

A. Yes sir, Is that Good or bad? A. Bad.

The court admitted the above questions and answers, over objection of defendant, made at the time the evidence was offered, and thereby erred, for the reasons stated.

88 (iiii) Because the Court erred, over the objection of the defendant that the same was irrelevant and immaterial and prejudicial to defendant, in permitting the witness Louis Ingram to testify as follows:

" I am a conductor for the Georgia Railway & Power Co., I come to town of them cars coming in on English Avenue going to Cooper street, known as the English Ave., car. I have seen them come in and been on it when it come in, the English Ave., car due at the junction of Marietta and Broad sts., according to schedule at 12:07. I have seen the car due at Marietta and Broad Sts., according to schedule at 12:07, the English Ave., car, several time come in ahead of the car I was coming in on, as much ahead as four minutes, I saw a car that came in this morning that was due in town at 8:30 and it got in at 8:24. I know the Motorman Matthews. I have seen his car ahead of time. I could not say how often."

The Court permitted this testimony over the objection before stated, and in doing so erred for the reasons stated. This was prejudicial to the defendant because it tended to show that at times other than on the day of the murder, the English Ave. car, which on that day was run by the witness Motorman Matthews, had reached Marietta and Broad Sts., four minutes ahead of time. It