

a minute and a half ahead. I have caught him as much as three minutes ahead of time last Spring, on the trip due in town 12.07. I didn't report him, I just talked to him. I have known him to be ahead of time twice in five years while he was under my supervision.

N. KELLY, Sworn for the State in rebuttal.

I am a motorman of the Georgia Railway & Power Co. On April 26, I was standing at the corner of Forsyth and Marietta St. about three minutes after 12. I was going to catch the College Park car home about 12.10. I saw the English Avenue car of Matthews and Mr. Hollis arrive at Forsyth and Marietta about 12.03. I knew Mary Phagan. She was not on that car. She might have gotten off there, but she didn't come around. I got on that car at Broad and Marietta and went around Hunter St. She was not on there.

CROSS EXAMINATION. I didn't say anything about this because I didn't want to get mixed up in it. I told Mr. Starnes about it this morning. I have never said anything about it before. That car was due in town at 12.07. The Fair St. car was behind it.

W. B. OWENS, Sworn for the State in rebuttal.

I rode on the White City line of the Georgia Railway & Electric Co. It is due at 12.05. Two minutes ahead of the English Avenue car. We got to town on April 26, at 12.05. I don't remember seeing the English Avenue car that day. I have known that car to come in minute ahead of us, some times two minutes ahead. That was after April 26. I don't recall whether it occurred before April 26.

LOUIS INGRAM, Sworn for the State in rebuttal.

I am a conductor on the English Avenue line. I came to town on that car on April 26. I don't know what time we came to town. I have seen that car come in ahead a time several times, sometimes as much as four minutes ahead. I know Matthews, the motorman. I have ridden in with him when he was ahead of time several times.

CROSS EXAMINATION. It is against the rules to come in ahead of time, and also coming in ahead of time. They punish you for either one.