

EVIDENCE for DEFENDANT in SUR-REBUTTAL.

T. Y. BRENT, Sworn for the defendant in sur-rebuttal.

I have heard George Kendley on several occasions express himself ver bitterly towards Leo Frank. He said he felt in this case just as he did about a couple of niggers hung down in Decatur; That he didn't know whether they had been guilty or not but somebody had to be hung for killing those street car men and it was just as good to hang one nigger as another, and that Frank was nothing but and old Jew and they ought to take him out and hang him anyhow.

CROSS EXAMINATION. I have been employed by the defense to assist in subpoenaing witnesses. I took the part of Jim Conley in the experiment conducted by Dr. Wm. Owens at the factory on Sunday

M. E. STAHL, Sworn for the defendant, in sur-rebuttal

I have heard George Kendley, the conductor, express his feelings toward Leo Frank. I was standing on the rear platform, and he said that Frank was as guilty as a snake, and should be hung, and that if the court didn't convict him that he would be one of five or seven that would get him.

MISS C. S. HAAS, Sworn for the defendant, in sur-rebuttal.

I heard Kendly two weeks ago talk about the Frank case so loud that the entire street car heard it. He said that circumstantial evidence was the best kind of evidence to convince a man on and if there was any doubt, the State should be given the benefit of it, and that 90 % of the best people in the city, including himself, thought that Frank was guilty and ought to hang.

N. SINKOVITZ, Sworn for the defendant, in sur-rebuttal

I am a pawnbroker. I know M. E. McCoy. He has pawned his watch to me lately. The last time was January 11, 1913. It was in my place of business on the 26th of April, 1913. He paid up his loan on August 16, last Saturday, during this trial. This is the same watch I have been handling for him during the last two years.

CROSS EXAMINATION. My records here show that he took it out Saturday.