

In the Supreme Court of Georgia

OCTOBER TERM, 1913

LEO M. FRANK,

Plaintiff in Error

VS.

STATE OF GEORGIA,

Defendant in Error

From Fulton Superior Court.

BRIEF OF THE EVIDENCE.

MRS. J. W. COLEMAN, sworn for the State.

I am Mary Phagan's mother. I last saw her alive on the 26th day of April, 1913, about a quarter to twelve, at home, at 146 Lindsey Street. She was getting ready to go to the pencil factory to get her pay envelope. About 11:30 she ate some cabbage and bread. She left home at a quarter to twelve. She would have been fourteen years old the first day of June, was fair complected, heavy set, very pretty, and was extra large for her age. She had on a lavender dress, trimmed in lace, and a blue hat. She had dimples in her cheeks.

CROSS EXAMINATION.

The blue hat that is seen here is the hat the little girl had on that day. It had some pale blue ribbon and some flowers when she left home. It was a small bunch of little pink flowers right in the center. We live two blocks from the street car line. There is a store there, at the place she usually gets on the car, kept by Mrs. Smith. Epps is a neighbor of ours. He was a friend of Mary's. He wasn't no special friend of hers.

RE-DIRECT EXAMINATION.

These are the clothes that she wore on the day (State's Exhibit "M".)

GEORGE EPPS, sworn for the State.

I am fourteen years old. I live right around the corner from Mary Phagan's home. I have known her about a year. The last time I saw her was Saturday morning coming to town on the English Avenue car. It was about ten minutes to twelve when I first saw her. I left her about seven minutes after twelve at the corner of Forsyth and Marietta Street. She had on that hat, parasol and things when I left her. She was going to the pencil factory to draw her money. She said she was going to see the parade at Elkin-Watson's at two o'clock. She never showed up. I stayed around there until four o'clock and then I went to the ball game. When I left her at the corner of Forsyth and Marietta, I went under the bridge to get papers and she went over the bridge to the pencil factory, about two blocks down Forsyth Street. I sat with Mary on the car.