

Don't know the day. It was shortly after April 28th. After Conley made his last statement Chief Beavers, Lanford and I went to the jail with Conley and saw the Sheriff and he went to Frank's cell. The last time I saw Frank was Saturday, May 3rd. As to whether Mr. Frank refused to see me, only through Sheriff Mangum, as to the number of matters I told Conley didn't fit the first time and those I told him didn't fit the last time, I could not name those, that would almost be impossible unless I had the statement clear in my head. I never suggested what to put in or what to substitute or what to change. They came from Conley himself.

THE STATE RESTS.

EVIDENCE FOR THE DEFENDANT.

W. W. MATTHEWS, sworn for the Defendant.

I work for the Georgia Railway & Electric Co. as a motorman. On the 26th day of April I was running on English Avenue. Mary Phagan got on my car at Lindsey Street at 11:50. Our route was from Bellwood to English Avenue, down English Avenue to Kennedy, down Kennedy to Gray, Gray to Jones Avenue, Jones Avenue to Marietta, Marietta to Broad, and out Broad Street. From Lindsey Street to Broad Street is about a mile and a half or two miles. We make frequent stops. We were scheduled to arrive at Marietta and Broad at 12:07 1-2. We were on schedule. We stayed on time all day. Our car turned up Broad St. Mary Phagan got off at Hunter and Broad. It takes generally from two and a half to three minutes to go from Broad and Marietta to Broad and Hunter. That is a very congested street and you must go slow. I was relieved at Broad and Marietta by another motorman, but sat down in the same car one seat behind Mary Phagan. Another little girl was sitting in the seat with her. We got to Broad and Hunter about 12:10. Mary and the other little girl both got off and walked to the sidewalk and they wheeled like they were going to turn around on Hunter Street, both of them together. The pencil factory is about a block and a half from where they got off at Hunter and Broad. Nobody got on with Mary at Lindsey Street. There wasn't any little boy with her. The first time I noticed the little girl sitting with Mary was when we left Broad and Marietta Street and I went back into the car and saw this little girl sitting with her. I know the little Epps boy. I have seen him riding on my car. He did not get on the car with her at Lindsey Street. I saw Mary's body at the undertaker's. It was the same girl that got on my car.

CROSS EXAMINATION.

I did not tell one of the detectives that we might have been running three or four minutes ahead of schedule that day. I remember that Mary did not