

the handle and they got around my finger."

Quinn was a witness for the defendant on the main trial.

Miss Grace Hicks was sworn by the State, and in Vol. 1, p. 337, of the official stenographer's report is found the following questions and answers, viz:

"Q. How did you know that that was Mary Phagan? A. I just knowed by her hair being so long.

"Q. Knew her by her hair? A. Yes sir."

On cross examination counsel for the defendant asked said witness, among others, the following questions, and received the answers following, viz:

"Q. Miss Grace, what sort of hair did little Mary Phagan have? A. Well, she had a kind of sandy color of hair.

"Q. Was it lighter than yours or less light? A. It was darker than mine.

"Q. Darker than your hair? A. Yes sir.

"Q. Much darker? A. Well, it was about two shades darker than mine.

"Q. You would say about two shades; she was still a blond girl, though? A. Yes sir."

So far as the State is able to recall, this is all the evidence introduced by the State in reference to the hair found by Barrett on the lathe.

The defendant introduced as his witness Miss Magnolia Kennedy.

Barrett had already shown in his evidence that Miss Magnolia Kennedy was present, and the State, as is shown on p. 527 of the record, undertook to show by him that the hair was identified by Miss Magnolia Kennedy, and such evidence, on objection of attorneys for the defendant, was excluded.

Counsel for Frank, after putting Miss Magnolia Kennedy up, as will be seen by reference to Vol. 5, p. 2250, did not ask said witness anything about the hair. On cross examination by the Solicitor General, as shown on p. 2252, the following questions were asked and answers given by said witness: