

"Q. Did you discover any hair on there anywhere, identify any hair? A. Mr. Barrett called me and showed me the hair at the machine.

"Q. And you identified it, didn't you? A. Yes sir.

"Q. Whose hair was it? A. It looked like Mary's hair.

"Q. Where was it when you saw it? A. It was on the lathing machine."

On p. 2253 of said record, these cross questions were asked and these answers given:

"Q. Now, what was the color of Mary's hair, and what was the color of this hair you found there? A. Mary's hair was a light brown, kind of a sandy color.

"Q. Was this light brown that you found? A. Yes sir."

So far as the State is able to find or recall, this evidence constitutes all of the evidence introduced on the trial of the case with reference to the hair found on the lathe on the office floor of the National Pencil Company. If not, all, this is the important evidence, and there is no evidence in the record contradicting this.

The State ^{submits} ~~attaches hereto and incorporates herein a copy of~~ affidavit of W. A. Ghesling, the undertaker who had charge of the remains of Mary Phagan, the murdered girl, and who was a witness on the trial in behalf of the State. This affidavit, the State submits, in itself completely answers the contention of the defendant. ~~Said affidavit is as follows:~~