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As to Ground 12: The State submits that, at best, this evidence, if true, is merely cumulative. The plea of alibi constituted, as will be seen by reference to the brief of evidence filed in this case, about the only defense set up by Frank, the defendant, and numerous witnesses were introduced along that line. Among other alibi witnesses testifying to almost the same state of facts to which in this ground it is said Pardee and Green will testify, was Miss Helen Kern. Even the testimony, however, of Miss Kern, and the evidence here referred to, which could be on another trial shown through Pardee and Green, was not in conformity with the statements made by Leo M. Frank, the defendant himself, as will be hereinafter shown. In the brief of evidence on the original trial, Frank is shown to have stated, as will be seen by reference to the State's "Exhibit B,"-- that he was still at the National Pencil Company's place of business as late as 1:10 p. m., when he went to dinner. Frank was shown to be wonderfully accurate with figures, and says, as will be noted by reference to his statement, in which he says that "Mary Phagan came into the factory between 12:05 and 12:10, maybe 12:07;" said statement being contained in the State's "Exhibit B,"; and when he says that he locked the door of the pencil factory at 1:10. This was a matter of vital importance to Frank, and if what he then said was true, then he could not have been at the corner of Whitehall and Alabama Streets, either at the time Miss Kern swore he was, or at 1:03 and 1:04, when Pardee and Green are alleged to say he was. On the trial of the case, the State endeavored to introduce the evidence given by the defendant, Frank, himself before the Coroner's jury, when inquiry was being made by that Court into the question as to how Mary Phagan came to her death. Astute and learned counsel for the defendant, Frank, then and there objected to the introduction of said statement, and the Court, the same being an ordinary proceeding at law, then and there rejected the same. The State now,