

001508

evidence shows that said Holleway was thoroughly in sympathy with the defendant, and hence the State insists that the affidavit of said Georgia Denham is shown by the record, through the mouth of Holleway, who was really in sympathy with the defendant, to be false. As a matter of fact, the state says that there was never any blood on said Conley's shirt. If there had been, said Georgia Denham would have immediately, being herself an employee of the Pencil Company's factory, have made such fact known.

Referring to the contention of the defendant Frank that Georgia Denham knows that the hair found by Barrett on the lathe was not that of Mary Phagan, the State makes the same response as made to the first and other grounds of the original motion in the extraordinary motion. Likewise the same response is made by the State to the contention as disclosed in the affidavit of Cora Lavender Leffeu.

2. With reference to the contention in this fifth amendment that certain notes alleged to have been written by Annie Maud Carter show Conley to be the real murderer, the State says that these letters were never shown to said Jim Conley and the State has not been apprised as to whether said Conley admits or denies that he wrote said notes. The State, however, is content on this proposition to rest with reference to these notes on the statement of Annie Maud Carter herself, as contained in an affidavit introduced by the State, to the effect that whatever letters she did receive from said Conley did not have the vile and filthy language as contained in the notes set up by the movant Frank, and the State insists that said notes are forged and manufactured by means of a conspiracy engineered by a convict in the Fulton County jail at that time, viz, George Wrenn.

3. The movant insists that the cut on the drawers of Mary Phagan, deceased, was "not with a sudden rip but deliberately by one who must have taken his own time in doing it."

The State says that such contentions as this are so utterly absurd that it is unnecessary to make answer thereto. The idea that any man or person, by merely looking at garments, could tell that, is absurd.