

at the National Pencil Company in the city for almost five years past. I am acquainted with Mr. Leo M. Frank, also Mr. R/P. Barrett and knew Mary Phagan quite well and knew the color of her hair. On Monday, April 28th, I was at the National Pencil Company Factory and Magnolia Kennedy called my attention to the hair on a certain machine that R.P. Barrett was alleged to have found there. At that time I gave it as my positive opinion that the hair on the machine was not that of Mary Phagan, as it was entirely too light in color to be the hair of said Mary Phagan. I now state that I am most positive that the hair I saw on the machine could not have possibly have been Mary Phagan's hair and that the hair on the machine was much lighter in color than was the hair of Mary Phagan.

MARY PIRK, MRS. G. DENHAM, MAY GOODMAN, MAMIE STEPHENS,

Sworn for the movant. We personally know Mrs. Cora Falta/ Some of her associates are Miss Jimmie Mayfield, Mrs. O. Johns, Marjorie McCord, Mary Pirk. Mrs. Falta is a person of good moral character and credibility, and we would believe her on oath.

L.A. QUINN, MARY PIRK, MRS. G. DENHAM and EULA FLOWER,

Sworn for the movant. We are acquainted with Mrs. Cora Falta. She was well acquainted with Mary Phagan during her lifetime and she could know the color of Mary Phagan's hair. She was in a position by reason of seeing the hair claimed to have been found by Barrett to determine whether the hair found by Barrett looked like the hair of Mary Phagan and was thereby enabled to form an opinion whether the hair of Mary Phagan and that found by Barrett was identical. *attested by C. W. Burke as Notary*

GROUND 4.

ALICE MARJORIE McCORD, Sworn for the movant. On the morning of Monday, April 28, 1913, my attention was called to some hair that was on a lathe machine on the second floor in the National Pencil Factory, and that I examined said hair very closely. I knew Mary Phagan during her time of employment at the factory and knew the color of her hair, and in my opinion, the hair found on the lathe machine was not that of Mary Phagan, as it was much too