

trial had been overruled and after the case was affirmed by the supreme Court. With reference to the hair found upon the lathe, we made inquiry, extensive inquiries of employees of the factory as to any information they had with reference to this hair found on the lathe.

We had no information, nor did we know, that Miss Jimmie Mayfield had ever been shown the hair, which Barrett claimed to have taken from the lathe. The information that it had been shown to her came to us after the trial, and after motion for a new trial had been overruled. This witness, Miss Jimmie Mayfield, was not a witness at the trial, and at the date of motion for a new trial we had no knowledge that she had ever seen the hair on the lathe so as to make a comparison with the hair of Mary Phagan.

We did not know at the date of the trial, nor after the motion for a new trial was overruled and after the case was carried to the Supreme Court that Mrs. Cora Falta had seen the hair upon the lathe that had been found by Barrett, and that she knew and would swear that the hair found upon the lathe was not the hair of Mary Phagan. This witness, Mrs. Cora Falta was not a witness at the trial and we had no information, until after the dates aforesaid, that she had any knowledge about the hair said to have been found by Barrett, and that she knew and would testify that it was not the hair of Mary Phagan.

We did not know ~~the~~ Alice Marjorie McCord, nor did we know that she had ever seen the hair claimed to have been found by Barrett upon the lathe, nor did they know that she, having seen the hair, would testify that it was not the hair of Mary Phagan. This Alice Marjorie McCord was not a witness in the trial of the case, and ~~therefore we~~ we had not the slightest information, or suspicion that she had ever seen the hair and knew that it was not Mary Phagan's.

We also claim that we did not know and we had no knowledge, until motion for a new trial had been overruled and the case was affirmed by the Supreme Court that Albert McKnight had admitted ~~anything~~ testifying falsely as to seeing Leo M. Frank in the dining room of his father-in-law, Mr. Selig's home, on April 26, 1913; nor