

~~never~~^{never} came back to work after the newspaper published the repudiation of his evidence *in affidavit of April 15, 1914.*
W. W. BOYD, Sworn for the State. I know C.W. Burke. I run the Terminal Restaurant. Albert McKnight was working in the restaurant in the capacity as pot washer. On the 15th day of April, 1914, Burke came to me and told me that McKnight wanted to quit. I did not know McKnight until Burke came and told me that he wanted to quit. Lehon and another man were with Burke at the time. Burke talked with McKnight, I don't know how long, over in the colored cafe. I assumed that McKnight wanted to quit and I let him go.

4TH GROUND

ALICE MARJORIE McCORD, Sworn for the State (before Commissioner) I have been employed at the Pencil factory for about five years. I have read the fourth ground in the extraordinary motion for new trial, where I am quoted as saying "positively the hair on said lathe was not the hair of Mary Phagan and that the same was entirely too light in color and was not of the same texture as that of Mary Phagan." *I didn't make the statement as quoted*
The statement is not true ~~and~~. I did not say positively that it was not her hair. I did not say anything about the texture of Mary Phagan's hair or the difference in the texture in her hair and that found on the lathe. I don't know whether there was any difference. The hair found on the lathe, I said looked to be lighter than Mary Phagan's. *I could not swear to my own hair positively if brought to me sometime after taken from my head.* 7th GROUND.

CHARLES PHILLIPS, JR., Sworn for the State. On or about March 6th, 1914, I called at the tower for an interview with Leo H. Frank, and questioned him about the affidavit of Mrs. Ethel Harris Miller. He discussed the matter at length and in the course of his conversation said that sometime after the trial a friend of his told him that Mrs. Miller, formerly Miss Harris, saw him on the corner of Whitehall and Alabama Streets, on the 26th of April. "The moment it was mentioned to me", said Frank, "the whole occurrence flashed over my mind and I remembered that she bowed to me and that I tipped my hat. Although I had naturally racked my memory until for every happening on that day I had not remembered seeing Mrs. Miller until the matter was mentioned to me after the trial. When the matter was mentioned to me, however, I then remembered how she was dressed