

evidence of Police Sergeant Dobbs, who visited the scene of the crime on Sunday morning, as follows:

"This scratch pad was also lying on the ground close to the body. The scratch pad was lying near the notes. They were all right close together. There was a pile of trash near the boiler where this hat was found, and paper and pencils were down there too."

Police Officer Anderson testified:

"There are plenty of pencils and trash in the basement."

Darley testified: "I have seen all kinds of paper down in the basement. The paper that note is written on is a blank order pad. That kind of paper is likely to be found all over the building for this reason: they write an order and sometimes fail to get a carbon under it, and at other times, they change the order and it gets into the trash. That kind of pad is used all over the factory."

Over the boiler is a gas jet.

Another feature which was not known at the trial and which was not presented to the jury, but came up by extraordinary motion, was regarding the hair alleged to have been found by Barrett on the lathe. The evidence on the trial of some of the witnesses was that the hair looked like that of Mary Phagan. It was not brought out at the trial that Dr. Harris had examined the hair under a microscope and by taking sections of it and comparing it with Mary Phagan's hair, thought that on the lathe was not Mary Phagan's hair, although he said he could not be certain of it.

This, however, would have been the highest and best evidence.