

The evidence loses its pertinency if Mary Phagan had not arrived at the time Monteen Stover came. What is the evidence?

The evidence uncontradicted discloses that Mary Phagan ate her dinner at 11:30 o'clock, and the evidence of the streetcar men was that she caught the 11:50 car, which was due at the corner of Forsyth and Marietta Streets at 12:07 1/2. The distance from this place to the pencil factory is about one-fifth of a mile. It required from 4 to 6 minutes to walk to the factory, and especially would the time be enlarged because of the crowds on the streets on Memorial Day.

While the streetcar men swear the car was on time, and while George Epps, a witness for the State who rode with Mary Phagan, swears he left her about 12:07 at the corner of Forsyth and Marietta Streets, there is some evidence to the effect that the car arrived according to custom but might have arrived two or three minutes before schedule time. If so, the distance would have placed Mary Phagan at the pencil factory at some time between 12:05 and 12:10. Monteen Stover looked at the clock and says she entered at 12:05. A suggestion is made that the time clocks, which were punched by the employees, might have been fast. This proposition was met by W. W. Rogers, who accompanied the detectives to the scene of the murder on Sunday morning and who testified: "I know that both clocks were running, and I noticed both of them had the exact time." Therefore, Monteen Stover must have arrived before Mary Phagan, and while Monteen Stover was in the room, it