

hardly seems possible under the evidence that Mary Phagan was at that time being murdered.

Lemmie Quinn testifies that he reached Frank's office about 12:20 and saw Mr. Frank. At 12:30, Mrs. J. A. White called to see her husband at the factory where he was working on the fourth floor, and left again before one o'clock.

At 12:50, according to Denham, Frank came up to the fourth floor and said that he wanted to get out. The evidence for the defense tends to show that the time taken for moving the body, according to Conley's description, was so long that it could not have fitted the specific time at which visitors saw Frank. It will be seen that when Mrs. White came up at 12:30, the doors below were unlocked.

Another feature of the evidence is that the back door in the basement was the former means of egress for Conley when he desired to escape his creditors among the employees. On Sunday morning, April 27th, the staple of this door had been drawn. Detective Starnes found on the door the marks of what he thought were bloody fingerprints, and he chipped off two pieces from the door which looked like 'bloody fingerprints.' The evidence does not disclose further investigation as to whether it was blood or not.

The motive of this murder may be either robbery, or robbery and assault, or assault.

There is no suggestion that the motive of Frank would be robbery. The mesh bag was in Mary Phagan's hands and was described by Conley in his redirect examination at the trial for the first time. The size of the mesh bag, I cannot tell, but since a bloody handkerchief of Mary Phagan's was