

Title:George Kendley Sworn In For The State, 172nd To Testify
Category:LEO FRANK TRIAL BRIEF OF EVIDENCE

GEORGE KENDLEY, sworn for the State in rebuttal.

I am with the Georgia Railway & Power Co. I saw Mary Phagan about noon on April 26th 1913. She was going to the pencil factory from Marietta Street. When I saw her she stepped off of the viaduct.

CROSS EXAMINATION.

I was on the front end of the Hapeville car when I saw her. It is due in town at 12 o'clock. I don't know if it was on time that day. I told several people about seeing her the next day. If Mary Phagan left home at 10 minutes to 12, she ought to have got to town about 10 minutes after 12, somewhere in that neighborhood. She could not have gotten in much earlier. The time that I saw her is simply an estimate. That was the time my car was due in town. I remember seeing her by reading of the tragedy the next day. I didn't testify at the Coroner's inquest because nobody came to ask me. No, I have not abused and vilified Frank since this tragedy. No, I have not made myself a nuisance on the cars by talking of him. I know Mr. Brent. I didn't tell him that Mr. Frank's children said he was guilty. Mr. Brent asked me what I thought about it several times on the car. He has always been the aggressor. As to whether

I abused and vilified him in the presence of Miss Haas and other passengers, there has been so much talk that I don't know what has been said. I don't think I said if he was released I would join a party to lynch him.

Somebody said if he got out there might be some trouble. I don't remember saying that I would join a party to help lynch him if he got out. I talked to Mr. Leach about it. I don't remember what I told him. I told him I saw her over there about 12 o'clock. That was the time the car was due in town. I know I saw her before 12:05. My car was on schedule

time. I couldn't swear it was exactly on the minute.