

Saw Mary Phagan on Her Way To Pencil Factory, Says McCoy

M. E. McCoy, of Bolton, who stated that he worked part of the time as a painter and part as a farmer, was put on the stand after McEwen, the motorman. He swore that he saw Mary Phagan on Forsyth street going to the National Pencil factory at a very few minutes after the noon hour of the day she was killed.

Before he had left the stand the defense had made a bitter but unsuccessful effort to break him down and confuse him and Attorney Rosser had asked him something like a hundred questions about the days before he saw the girl.

"Did you know Mary Phagan?" asked Dorsey.

"Yes."

"Did you see her on April 26, last?"

"Yes."

"Where?"

"In front of No. 12 North Broad street."

"What time was it?"

"It was right after 12."

"Can you be more definite about the time?"

Saw Her Go By.

"Well, I left Walton and Forsyth streets at exactly 12 and I walked straight down there and saw her go by as I got there and so it couldn't have been but a very few minutes after the hour. It might have taken me three or four minutes to get there, but not over that," concluded the witness.

"How did you know the time when you left Walton and Forsyth?" asked Mr. Rosser, who took up the cross-examination.

"Well, I looked at my watch, that's how."

"What did you look at your watch for?"

"Because I wanted to know what

time it was."

"How could the girl have got there at three or four minutes after twelve if she left home at 11:45 o'clock?" asked Mr. Rosser.

"I don't know; I don't even know how she came to town; all I know is that I saw her there at the time I told you," replied the witness in a positive tone.

"Why did you not tell this sooner?" Mr. Rosser next asked.

"I did not know it was important and I did not want to get mixed up in the case," he replied.

"Where were you at noon on the day before?"

"I was at Buckhead."

"Well, where you the day before that at noon?"

"At Buckhead."

"Did you look at your watch?"

"Yes."

"Well, where were you at 11 o'clock that day?"

"At Buckhead."

Quick Fire of Questions.

Attorney Rosser then fired in rapid succession some two-score of questions in regard to everything that the man had done for several days before Memorial day and also how Mary Phagan looked and what she wore. Apparently as cool as though he was not under such a grueling fire the witness answered every question except one; he could not tell how the dead girl's hat was trimmed.

The solicitor made a vigorous objection to the manner in which the questions were put, declaring that Mr. Rosser would not give the witness a chance to answer one question before he would ask him to answer another one.

Then after being asked a number of detailed questions about his trip to town Memorial day on the Buckhead car, the witness was excused.