

or saying anything to any juror, or attempting to say anything to any juror, and within my knowledge, there was no communication at any time or place or in any shape, manner or form with any juror, with any party on the outside; all communications had by the jury with outsiders, so far as I know, were through the bailiffs and said communications were authorized by the court and known to counsel on both sides of the case: THAT so far as I am personally concerned, and so far as I know as to each and every juror on the case, they were influenced solely and alone by the evidence and the charge as given by the court and were not influenced in any wise in any way manner shape or form, by anything from the outside, but the verdict as rendered, so far as I am concerned, and as to the other jurors, so far as their deportment shows, I believe was rendered from an honest opinion, based on the law and evidence of the case.

M. JOEBENNING makes affidavit, deposing and saying as follows:

THAT I was a juror on the Frank case; I did not know personally A.H.Henslee, who was also a juror trying this case until after we were sworn on said jury; I had occasion to know and do know his conduct on the jury; at no time did he express himself in a way to indicate that he was the least bit prejudiced or biased, but Henslee, as did each and every other member of the jury, deported himself as an honest, upright, prudent, and impartial juror; if A.H.Henslee believed that Frank was guilty until after the entire case had been heard and concluded and submitted to the jury, he at least did not so express himself or give vent to any other expression within my hearing or knowledge, indicating any bias or prejudice against the said Frank; I did not know how A.H.Henslee stood on the issue until after the first ballot had been taken; then said Henslee made a talk and stated that he had cast a doubtful ballot; there was one ballot marked "doubtful"; he explained to the jury why he cast this