

any man grabbing any member of the jury by the hand 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, was, so far as I am concerned, and as to the other jurors, so far as their deportments show, I believe was rendered from an honest opinion based on the law and evidence of the case.

F. V. L. SMITH makes affidavit, deposing and saying as follows:

THAT I was a juror on the Frank case; I did not know personally either A. H. Henslee or M. Joehenning, who were also jurors trying this case, until after we were sworn in on said jury; I had occasion to and do know the conduct of these two men on the jury; at no time did either of them express themselves in a way to indicate that they were in the least bit prejudiced or biased, but each of these men, as did each and every other member of the jury, deport themselves as honest, prudent, and impartial jurors; if either the said A. H. Henslee or the said M. Joehenning believed that Frank was guilty until after the case had been heard, they at least did not so express themselves, or give vent to any other expression within my hearing or knowledge, indicating any bias or prejudice against the said Frank; beyond his sharing the universal opinion in the earlier stages of the trial, that the evidence had to be stronger to convict, I did not know how A.H.Henslee stood on the issue until after the first ballot had been taken; then said Henslee made