

he occupied an anteroom to the court room in which said case was tried directly across the hallway from the jury room; that in leaving the jury box, and retiring to the jury room, it is necessary to pass through three doors; that deponent knows of the occasion of the applause in the court room when the Judge declined to rule out and exclude the evidence of Jim Conley as to two certain acts of degeneracy and perversion on the part of Leo M. Frank, the defendant; deponent was present in the court house at this time and knows that at the time this occurred, the jurors were in their room and two doors between said jurors and the courtroom where this applause took place were closed; and in deponent's opinion said applause could not have been heard by the jury.

H. L. Bennett makes affidavit deposing and saying as follows: I am personally acquainted with one C. P. Stough, having had a casual acquaintance with him for about five years; I also know his general character and reputation, and I consider his general character and reputation bad; I am also acquainted with A. H. Henslee, and know his character and reputation to be good.

M. W. Medcalf makes affidavit as follows: I was one of the jurors in the Frank case, and heard the cheering which followed the reading of the verdict of guilty in open court, and which said cheering was by parties outside of the court; said cheering occurred during the time the jury was being polled. No objection whatsoever was made by anyone representing Leo M. Frank, or Frank himself, at the time of the cheering, nor was any motion made at the time by any of his attorneys, but the polling of the jury was continued; this cheering did not influence or affect the verdict which had already been made, nor did it have any influence; I remained absolutely unaffected and uninfluenced by the cheering or the surroundings and in answering on the poll, I truthfully answered, after I had heard the cheering, that it was my verdict and in answering as aforesaid I discharged my duty as a conscientious juror and now subscribe to the correctness of the verdict as rendered.