

the reading of the verdict, while the jury was being polled. Deponent says that at no time did he see any one speak to or attempt to speak to any member of the jury, except officers of court in the discharge of their duty. Deponent further states that he never at any time witnessed or knew of any misconduct on the part of any member of the jury, but states, under oath, that at all times, when in his presence each member of the jury departed himself as an upright, honorable and conscientious juror, seeking to faithfully discharge his duty. Deponent says no armed spectators in or about the courthouse where the trial was being conducted, nor did he hear any threats of violence expressed in or about said courthouse toward the defendant Leo M. Frank.

Deponent states that he witnessed the efforts of spectators to carry the Solicitor General on their shoulders, referred to in an affidavit in the possession of the defense, and says that the same occurred after the verdict of the jury had been read and the jury polled, and while the Solicitor General was on his way to his office. No demonstration by spectators on the outside of the courthouse on either of the last three days of the trial, to-wit, August 22nd, 23rd, 25th, was within the presence or the hearing of the jury, so far as this deponent knows or believes.

R. B. Deavours makes the following affidavit, deposing and saying as follows: that he is a deputy sheriff in and for Fulton County, Georgia, and was on duty during the trial of Leo M. Frank; that he was present in the courtroom every day during said trial, and that, with the exception of the applause which took place a few times in open court and within the hearing of the presiding judge, he knows of no applause, cheering or demonstrations that were heard by the jury. On Monday, August 25, 1913, deponent with C.F. Huber, and W.M. Hunter, went with the jury to the German Cafe for lunch; deponent says that on said occasion, as the jury were entering the cafe, deponent heard some noise as of people hollering, back in the direction of the courthouse, but could not distinguish any words which were used by the people, did not know who it was creating the noise, what was said, or what prompted the same. The jury passed through the cafe and into the dining room in the rear of the building, where they lunched with closed doors. No cheering or applause or other demonstration could be heard after entering the building. Deponent states further, that so far as he was able