

member of the jury individually or the jury collectively from the time the jury was impannelled until they had rendered their verdict and had been discharged. I am the Deputy Sheriff regularly assigned to the Criminal Division of Fulton County Superior Court and was on duty and in charge of the courtroom during the entire time Leo M. Frank was on trial; I have read the affidavit of Mrs. A. Shurman and others with reference to the cheering on the outside of said courtroom during Friday and Saturday and Monday, the last three days of the trial. I was not with the jury as they left the courthouse to go to lunch on either of the three said days but was in the courtroom at the time the cheering took place on the outside. I know that on Monday morning just before court convened when there was cheering in the street the jury were in their room in the rear of the courtroom; they were also in the rear of the courtroom when the Solicitor General entered and the spectators started to applaud; I tapped on the wall or some other object and raised my hand in warning and the spectators immediately desisted; the applause was very slight and very low and was stopped promptly when I rapped and I am sure that the jury in their closed room did not and could not have heard the same. This was on the last day of the trial, to-wit, August 25th, 1913; I was not with the jury at any time when any applause except that in open court and in the immediate presence of the Judge could have been heard by the jury; I was not in charge of or with the jury at any time when any other demonstration or cheering for the Solicitor General or for anyone could have been heard by said jury; At no time when I was in charge of or with the jury was any member of the jury guilty of communicating with or attempting to communicate with any person on the outside in any way nor during said trial from the time the jury was impannelled until their discharge after verdict rendered was any member of the jury guilty of any misconduct of any nature whatever; At no time did I hear any threat against the life of Leo M. Frank among the spectators at the courthouse or elsewhere nor at any time did he see or know of