

for new trial and said amendment to the motion for new trial being parts of the record in said case, and reference being hereby had to the same; and movant further specifies as to the error complained of that the court failed and refused to grant a new trial upon each and every ground contained in said motion for new trial and the amendment thereto, reference being hereby had to the same as if fully embodied herein, the same being of record.

Defendant further excepts to said judgment overruling the motion for new trial and alleges error therein in not granting a new trial upon each and all of the grounds of the original and amended motion on the grounds and reasons in said amended and original motions fully set out--reference hereby being had to the same, as if fully embodied herein, the same being part of the record in said case.

And now, within twenty days from the judgment refusing said motion for new trial, and in due and legal time, the said Leo M. Frank presents this, his Bill of Exceptions, and prays that the same be signed and certified, and specifies as the portions of the record in said case, material to a clear understanding of the errors complained of, the following, to-wit:

- 1st. The indictment in said case.
- 2nd. The plea of not guilty.
- 3rd. The verdict of the jury and the sentence of the court.
- 4th. The original motion for new trial, together with all entries and rules nisi thereon.
- 5th. The amended motion for new trial, together with the approval and certificates of the judge thereto and to the original motion and all entries thereon, and together with all exhibits thereto.
- 6th. The certificate of the judge approving the grounds of the original motion for new trial and the amended motion for new trial.
- 7th. The brief of the evidence in said case and the approval thereof by the court and all entries thereon.
- 8th. The charge of the court with approval of the judge thereon.