

EXHIBIT H.

GEORGIA, FULTON COUNTY.

State of Georgia,

Vs.

Fulton Superior Court.

Leo M. Frank.

Before me personally appeared Miss Miriam Loevenhart, who makes this affidavit to be used on motion for a new trial in the above stated case.

Deposing on oath she says that she is personally acquainted with M. Joehanning, a juror, who served in the above stated case; she says that prior to the trial of Leo M. Frank, said juror, M. Joehanning, had a conversation with this deponent and deponent's mother, and in their presence expressed his profound conviction that Leo M. Frank was certainly guilty of the murder of Mary Phagan.

Further deposing she says that said M. Joehanning made this statement, positively, almost vehemently, and that his exact language, which was in response to a remark from this deponent in reference to the case was, as near as deponent recalls, "I know that he is guilty", referring to Leo Frank. Said M. Joehanning made this statement more than once to this deponent before the commencement of the trial of Leo M. Frank for murder.

Miriam Loevenhart.

Sworn to and subscribed before me,
this 2nd day of Sept., 1913.

C. W. Burke,

Notary Public, Fulton County, Ga.

E. J. Brown, Judge