

EXHIBIT DD.

GEORGIA, FULTON COUNTY

State of Georgia,

Vs. In the Superior Court of Fulton County, Ga.

Leo M. Frank.

Before me personally appears Julian A. Lehman, who, being duly sworn deposes and says on oath that he makes this affidavit for use in motion for new trial in above stated case.

Further deposing, he says on oath that he reiterates his statement heretofore made under oath that between the time of the murder of Mary Phagan, as reported by the newspapers, and the commencement of the trial of Leo M. Frank, on July 28th, 1913, he on two occasions, heard A. H. Henslee, a juror in said case, express himself firmly and positively as to the guilt of Leo M. Frank of the murder of Mary Phagan, in the language set forth in the affidavit heretofore made by this deponent and attached to the original motion for new trial in said case; one of said times was on or about June 30th, 1913, another time was early in the month of June, to the best of this deponent's recollection near June 2nd, but as to the exact date this deponent cannot state.

*L. J. Owen, Judge*

Julian A. Lehman.

Sworn to and subscribed before me, this 1 day of Oct., A. D. 1913.

J. H. Porter,

Notary Public Fulton County, Ga.