

EXHIBIT EE.

GEORGIA, FULTON COUNTY.

State of Georgia,

Vs.

In Fulton Superior Court.

Leo M. Frank.

Personally appeared Leon Harrison, who being duly sworn deposes and says that he makes this affidavit to be used on the motion for new trial in the above case.

Further deposing, he says that he is not acquainted with Leo M. Frank, is not related to him, and has never seen him to know him; he says on oath that he is not personally acquainted with A. H. Henslee but he knows that said Henslee is the party about whom he makes this affidavit.

Further deposing, he says that during the month of May 1913, deponent was walking from Scherrer's lunch place on Peachtree st. toward Five Points, when he was attracted by a conversation between two men, one of whom was said A. H. Henslee, the same Henslee that served on the Frank jury and whose picture appeared in the Atlanta Georgian of August 26th, 1913, page 2, a clipping of which paper is hereto attached.

At the time, which was shortly after the Mary Phagan murder, almost everyone was discussing the murder, and this deponent was very much interested in the matter, as was everyone else; this deponent heard the man with Henslee say to Henslee "I don't believe Frank committed that murder; if he did, he is one Jew in a million, not one Jew in a million would commit such a crime", and to this statement said Henslee replied in deponent's hearing: "I believe he did kill the girl, and if by any chance I get on the jury that tries him, I'll try my best to have him convicted".

The above statement of Henslee was in reference to Frank's guilt of the murder of Mary Phagan.

Leon Harrison,

Sworn to and subscribed before me,
this 8th day of Oct., 1913.

Robt. C. Patterson, N. P. Fulton County, Ga.

L. S. Brown, Judge