

Duffy, you know that is not true, and you know that you were not in front of the dressing room at all, and that there was no blood that ran upon the floor, and that, as soon as you injured your finger, you promptly went to the office of Mr. Frank and then to the Atlanta Hospital, where Dr. Ballinger waited on you" Mr. Dorsey then asked what it was he used to stop the blood, and that he replied that he stopped it with a piece of waste; that for some reason he both permitted Mr. Dorsey to ask and answer his questions for him; that he could see precisely how Mr. Dorsey wanted him to testify, and he did testify as suggested by Mr. Dorsey; that after mature deliberation and thought, it is plain to him that he was made to express himself on the witness stand in a manner that he would not have done, had he been permitted to have gone on the witness stand and testified to the facts, as he knew and remembered them; that he now says that when he was injured, his hand did bleed and run upon the tin at the machine he was working on, and did run upon the floor, that, during his conversation with Mr. Dorsey, he, in his leading way, insisted that the witness had gone to the office of Mr. Frank as soon as he had injured his hand, and then went to the office of Dr. Ballinger and had it dressed.

The witness now says that it is possible, and quite probable, that blood dropped from his hand while passing in front of the dressing room, and ^{he} is not willing to state that blood did not drop from his hand in front of the dressing room.

Neither the defendant, nor his counsel had any information or knowledge that the witness, Duffy, knew the facts as above outlined, or that he would testify to the same. On the contrary, he had testified at the trial, as above first outlined in this ground, and neither this defendant, nor his counsel, had any knowledge that he would testify otherwise and further, as next above outlined, until after the motion for new trial had been overruled Exhibits hereto attached are here made a part of this motion in support of the above and next above ground.

18. Defendant further shows that he should be granted a new trial because of the following fact, Mrs. M. Jaffe will testify that she is personally acquainted with the defendant and has been for several years; that on the day of the murder, April 28th, 1913